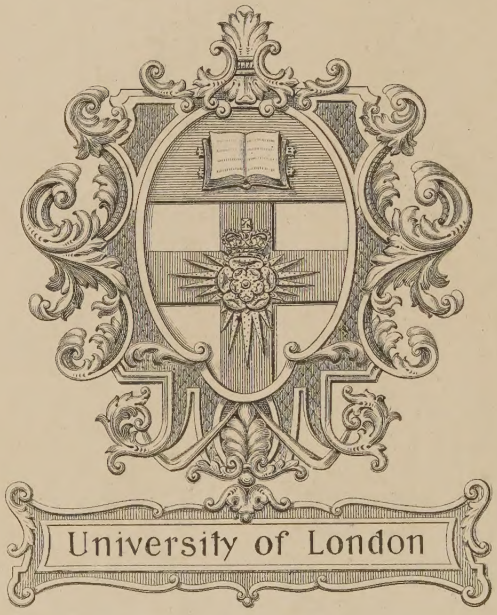
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ACCOUNTS & PAPERS

(8)

EDUCATION

VOL. XXXII

Part 2.

1857 Session 2.

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CAMBRIDGE UNIVERSITY.

COPIES of Two STATUTES made by the respective Governing Bodies of TRINITY COLLEGE, and PEMBROKE COLLEGE, in the UNIVERSITY of CAMBRIDGE, under the 19 & 20 Vict. c. 88.

Council Office,
8 May 1857.

WM. L. BATHURST.

PRESENTED PURSUANT TO ACT OF PARLIAMENT.

COPY of a STATUTE relating to the WESTMINSTER SCHOLARSHIPS at TRINITY COLLEGE, in the UNIVERSITY of CAMBRIDGE, made by the major part of the Governing Body of that College, under the 19 and 20 Vict. c. 88.

WHEREAS by the Statutes of Trinity College, and by the laws and practice of Westminster School, certain Scholarships in this College have been annually appropriated to Scholars of the said School elected therefrom; it is ordained, that henceforth all the Scholarships of this College, when vacant, shall be filled up without preference to the said School. And it is ordained also, that there shall be given, from the revenues of the College, an annual sum of 40 *l.* to each of such number of Exhibitioners as shall be elected from Westminster School and admitted to the College, not more than three being elected in any one year, for or towards his maintenance, from the time of his commencing his residence in the said College, and during such residence, until, by the Statutes of the University, he shall be qualified to apply for the degree of Bachelor of Arts: Provided always, that he shall have shown himself apt and fit, as other students admitted to the said College; and provided also, that no such Exhibition shall be held for more than three years and a quarter. And no such Exhibitioner shall, as such, be disqualified from being elected a Scholar of the said College, and holding the Scholarship, together with his Exhibition. And such Exhibitioners shall be entitled to enjoy all the benefactions specially bequeathed to or settled upon the Scholars heretofore elected from Westminster School, in as full a manner as such Scholars have heretofore enjoyed the same.

Now we, the said Commissioners, by virtue of the powers vested in us by the said Act, do hereby approve of the said Statute, in the words and form above recited.

Given under our Common Seal, this Third day of April, in the year of our Lord One thousand Eight hundred and Fifty-seven.

L. S.

COPY of a STATUTE relating to the GRINDAL FELLOWSHIP and SCHOLARSHIPS at PEMBROKE COLLEGE, in the UNIVERSITY of CAMBRIDGE, made by the major part of the Governing Body of that College, under the 19 & 20 Vict. c. 88.

THAT no person, who after the confirmation hereof shall be elected a Grindal Scholar, shall thereby acquire any claim to be subsequently elected into the Grindal Fellowship. That, from and after the first vacancy of the Grindal Fellowship which shall happen after the determination of the claims of those persons, who either before the confirmation hereof, have held, or at the time of such confirmation are holding Grindal Scholarships at the College, to be elected into the Grindal Fellowship when vacant, the revenues of the College shall cease to be chargeable with the maintenance of a Grindal Fellow, and the Grindal Fellowship shall be abolished, and the Grindal Statutes cease to be in force. That until such abolition of the Grindal Fellowship, but no longer, the Master and Fellows shall continue to elect Scholars from St. Bees' School into the three Grindal Scholarships, and shall pay to each of them, so long as they severally hold the same, the annual sum of 28 *l.* That, upon the abolition of the Grindal Fellowship, the Master, Fellows and Scholars shall pay to the Wardens and Governors of St. Bees' School, in perpetuity, the annual sum of 200 *l.*, by equal half-yearly payments, on the 25th day of March and the 29th day of September in every year, the first payment to be made on such one of the said days as shall first occur after the said Fellowship has been abolished six whole months, such annual sum to be applied by the Wardens and Governors in providing Exhibitions, to be called "The Grindal Exhibitions," for meritorious Scholars educated at St. Bees' School,

School, and proceeding therefrom to any College in the University of Cambridge, but without any liability on the part of the Master, Fellows and Scholars to see to the application of such sum, for which the receipt of the receiver of the revenues of the said school, being the "School Clerk" for the time being, shall be a sufficient discharge to the Master, Fellows and Scholars. That such annual sum shall be paid by the Master, Fellows and Scholars out of the general revenues of the College. That out of the general revenues of the College, the annual sum of 132 *l.*, being the excess of the aggregate of the present annual income of the Grindal Fellow, and the average annual payments to the Grindal Scholars over the sum of 200 *l.*, to be so paid to the Wardens and Governors of the said School, shall be applied by the Master, Fellows and Scholars, in providing Scholarships, to be called "The Grindal Scholarships," for such and so many of the Students at the said College as the Master and Fellows shall from time to time elect into such Scholarships, the same to be of such amount, and subject to such rules and regulations, as to the continuance and enjoyment thereof, as the Master and Fellows shall from time to time direct. And lastly, that the Governing Body of St. Bees' School shall convey to the Master, Fellows and Scholars the reversion in fee simple, expectant upon the determination of the term of 1,000 years, granted to the College by a certain indenture of demise, bearing date the 1st day of June, in the fourth year of the reign of his late Majesty King James the First, and made between the Keepers and Governors of St. Bees' School of the one part, and the Master, Fellows and Scholars of the other part, in certain lands situate at Croydon, in the county of Surrey, called "Palmer's Fields," to be held by the College as part of the general property thereof.

Now we, the said Commissioners, by virtue of the powers vested in us by the said Act, do hereby approve of the said Statute, in the words and form above recited.

Given under our Common Seal, this Thirty-first day of March, in the year of our Lord One thousand Eight hundred and Fifty-seven.

L.S.

COPIES of Two STATUTES made by the respective Governing Bodies of TRINITY COLLEGE, and PEMBROKE COLLEGE, in the UNIVERSITY of CAMBRIDGE, under the 19 & 20 Vict. c. 88.

(*Presented pursuant to Act of Parliament.*)

Ordered, by The House of Commons, *to be Printed,*
11 *May* 1857.

CAMBRIDGE UNIVERSITY.

TWO STATUTES relating to the Fellowships at St. John's College, in the University of Cambridge, and to the Scholarships and Exhibitions at the same College, under the 19 & 20 Vict. c. 88.

Council Office, 25 June 1857. } WM. L. BATHURST.

We, the Commissioners appointed for the purposes of an Act passed in the Session of Parliament holden in the 19th & 20th years of the reign of Her Majesty Queen Victoria, intituled "An "Act to make further Provision for the good Government and "Extension of the University of Cambridge, of the Colleges "therein, and of the College of King Henry the Sixth at Eton," having had under our consideration a Statute for abolishing all rights of preference, whether in respect of place of birth or otherwise, in the election to any Fellowship within the College of St. John the Evangelist, in the University of Cambridge; and for rendering all persons, being British subjects, eligible to such Fellowships (but without prejudice to any existing interest saved by the said Act), which Statute has been duly submitted to us in pursuance of the provisions of the said Act, by a majority of the governing body of the said College within the meaning of the said Act, and which Statute is in the words following, that is to say:—

> That no preference shall hereafter be given to any person in Elections to any Fellowship now existing within the College of St. John the Evangelist in the University of Cambridge, in respect of such person's place of birth, or of his being, or having been, a Scholar on any Foundation in the said College, or of his being of the name, lineage, kindred, or consanguinity of any person named in any Charter, Will, Deed of Composition, or other instrument of foundation or endowment of the said College,

or of his having been a Chorister in any Collegiate or Capitular Church, or of his having been a Scholar in any School named in any Charter, Will, Deed of Composition, or other instrument of foundation or endowment of the said College, or of his being in Holy Orders at the time of such Election. And that no person, being a British subject, shall be ineligible by reason of the place of his birth to any Fellowship now existing in the said College; nor shall any person hereafter elected to any Fellowship now existing in the said College be required to enter into Holy Orders sooner than the other Fellows of the said College, by reason of any direction to that effect contained in any Charter, Will, Deed of Composition, or other instrument of foundation or endowment of the said College.

And having further had under our consideration a Statute for abolishing all rights of preference, whether in respect of place of birth or education, or otherwise, in the election to any Scholarship, Exhibition, or other emolument in the said College, and for rendering all persons, being British subjects, eligible to any such Scholarship, Exhibition, or other emolument (but without prejudice to any existing interest saved by the said Act, and saving the rights of Schools in certain cases, as provided by the said Act), which Statute has been duly submitted to us, in pursuance of the provisions of the said Act, by a majority of the governing body of the said College, within the meaning of the said Act, and which Statute is in the words following, that is to say:—

That no preference shall hereafter be given to any person in elections to any Scholarship, Exhibition, or other emolument now existing within the said College, in respect of such person's place of birth, or of his being of the name, lineage, kindred, or consanguinity of any person named in any Charter, Will, Deed of Composition, or other instrument of foundation or endowment of the said College, or of his having been a Chorister in any Collegiate or Capitular Church, or of his having been a Scholar or Pupil in any School or other place of education which has not enjoyed or exercised any such right of preference on the occurrence of any one of the three occasions next before the passing of the aforesaid Act of Parliament, on which occasions such right might have been exercised or enjoyed, or in respect of his father's being or having been in Holy Orders, or of his father's not possessing, or not

not having possessed, more than any fixed yearly income mentioned in any Charter, Will, Deed of Composition, or other instrument of foundation or endowment of the said College. And that no person, being a British subject, shall be ineligible, by reason of the place of his birth, to any Scholarship, Exhibition, or other emolument in the said College.

Now, We, the said Commissioners, by virtue of the powers vested in us by the said Act, do hereby approve of the said Statutes in the words and form above recited.

Given under our Common Seal, this twenty-second day of May, in the year of our Lord one thousand eight hundred and fifty-seven.

L. S.

TWO STATUTES relating to the Fellowships at St. John's College, Cambridge, and to the Scholarships and Exhibitions at the same College, under the 19 & 20 Vict. c. 88.

(Presented pursuant to Act of Parliament.)

Ordered, by The House of Commons, *to be Printed,*
29 *June* 1857.

139—Sess. 2.

OXFORD UNIVERSITY.

COPIES of THREE ORDINANCES framed by the Oxford University Commissioners in relation to MERTON, PEMBROKE, and UNIVERSITY COLLEGES, in the UNIVERSITY of OXFORD, respectively, under the 17 & 18 Vict. c. 81.

Council Office,
8 May 1857.

WM. L. BATHURST.

PRESENTED PURSUANT TO ACT OF PARLIAMENT.

COPY of an ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the Statute 17 and 18 VICT. c. 81, in relation to MERTON COLLEGE, otherwise called the HOUSE or COLLEGE of SCHOLARS of MERTON, in the UNIVERSITY OF OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the Seventeenth and Eighteenth Years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Merton College, otherwise called the House or College of Scholars of Merton, in the said University:—

1. The election of the Warden of the said College shall be vested in such Fellows of the College present at the time of election as shall have completed two years from the day of their admission as actual Fellows. As soon as it shall have become known that a vacancy has occurred in the office of Warden, the Sub-Warden, or in his absence the Senior Fellow in residence, shall convene a meeting of such Fellows as shall then be residing in the College. Such meeting shall appoint a day and hour for the election of a Warden, and the Sub-Warden, or the Senior Fellow in residence, as the

case may be, shall convene a meeting of the electors for that day and hour. The day of election shall be not less than twenty nor more than sixty days from the day on which the occurrence of the vacancy shall have become known. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being), who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education. The votes of the electors shall be openly taken, and that person in whose favour the greatest number of votes shall have been given, shall be declared elected. If the votes shall be equal, the Sub-Warden, or in his absence the Senior Fellow present, shall give an additional casting vote. Such election being made, the Sub-Warden or Senior Fellow present at the election, as the case may be, shall forthwith communicate to the Visitor the name of the person elected; and the Visitor shall confirm the election, unless it shall appear to him that such person is not duly qualified according to the Statutes in force for the time being, or is unfit for the office. If the Visitor shall refuse to confirm the election he shall notify such refusal to the Sub-Warden, or the Senior Fellow present at the election, as the case may be; and the Fellows qualified as aforesaid shall, within ten days of such notification by the Visitor, proceed in manner and form aforesaid to elect three persons whom they shall consider duly qualified for the office; and the Sub-Warden, or in his absence the Senior Fellow present at the last mentioned election, shall thereupon communicate to the Visitor the names of the persons so elected, of whom the Visitor shall nominate one, being fit and qualified as aforesaid, to be Warden of the College.

2. The Warden shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided, that in case of the Warden's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the Warden's residence for such a period as may seem to the Visitor to be required by the necessities of the case.

3. The Warden and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Wardenship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and

and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Warden's emoluments, whether commuted or uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Warden without his consent: Provided also, that the Visitor, upon the petition of the Warden or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

4. If at any time it shall appear that the Warden has become permanently incapable of performing the duties of his office, the Sub-Warden shall, upon the request of any three or more Fellows qualified to vote in the election of the Warden, convene a meeting of the Fellows so qualified, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Warden (as the case may be), it shall appear to the satisfaction of the Visitor that the Warden has become permanently incapable of performing his duties, then the Visitor shall nominate such one of the Fellows as, by the vote of the greatest number of the Fellows qualified as aforesaid, and present at a meeting convened by the Sub-Warden, shall be chosen and presented to the Visitor for the purpose, if in his judgment fit for the office, to be Pro-Warden of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one third) of the Warden's emoluments as the Visitor shall think fit; provided that the Warden shall be at liberty to retain his lodgings. And such Pro-Warden shall, so long as the Warden shall retain his office, and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties and have all the powers and authorities of Warden, except the power of consenting to any commutation, regulation, or diminution of the Warden's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes and in the same manner. If any Pro-Warden shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor

shall appoint a new Pro-Warden in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Warden's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

5. The election of Fellows shall be vested in the Warden and such of the Fellows present at the time of election as shall have completed two years from the day of their admission as actual Fellows. That candidate shall be deemed elected for whom the greatest number of the electors present shall have voted. If there shall be an equality of votes the Warden shall have an additional casting vote.

6. The Warden and Fellows shall from time to time divide the Fellowships as nearly as may be into two moieties, whereof one moiety shall be termed Clerical Fellowships, and shall always be held by persons who have taken, or have declared their intention to take Holy Orders. No person shall be eligible to a Clerical Fellowship who shall not either be a Deacon or Priest of the United Church of England and Ireland, or declare that he intends to take Holy Orders in the said Church; and a period of five years from the day of election shall be allowed to every person so declaring, within which he shall take Deacon's Orders at the least, or in default thereof shall vacate his Fellowship. Subject to the above provision, no Fellow shall be required, as a condition of retaining his Fellowship, to enter into Holy Orders, or, not being in Holy Orders, to study theology.

7. The election of Fellows shall take place on a stated day in each year, to be appointed by the Warden and Fellows (subject to the provision for postponement hereinafter contained), and notice of every election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Warden, in such manner as he shall deem best adapted to ensure publicity, at least thirty days before the day of election.

8. In elections to Fellowships no person shall be either entitled to preference or ineligible by reason of his place of birth or place of education, or of his being or not being of the kindred of Walter de Merton, or by reason of his pecuniary circumstances. No person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession

possession of any benefice, property, pension, or office which, if acquired after election, would have disqualified him for continuing a Fellow.

9. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Warden and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognised in the Schools of the University; and the electors shall choose that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

10. Every person elected to a Fellowship shall be entitled to receive, during the year of probation, the same emoluments as if he had been admitted an actual Fellow.

11. Every Fellow who shall marry shall thereupon vacate his Fellowship; provided that it shall be lawful for the Warden and Fellows, if they shall think fit, to grant such Fellow a year of grace.

12. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled in possession, either by descent or devolution, or by virtue of any testamentary or other gift or settlement, for his life or for any greater estate, to property, real or personal, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls), clear of deductions (except for property or income tax), shall exceed 300 *l.*, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources (including or not including a benefice with cure of souls), clear of deductions as aforesaid, shall exceed 500 *l.*, vacate his Fellowship at the expiration of such twelve calendar months; and for this purpose the income which the

estimated value of any property would produce, if invested in Government securities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

13. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows :—

(*a.*) Any Professor or Public Lecturer within the University, for whose election a majority of the votes of the Warden and all the Fellows qualified to vote in the election of Fellows shall have been given.

(*b.*) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma or by decree of Convocation, or any honorary degree; provided that two-thirds of the votes of the Warden and all the Fellows qualified to vote in the election of Fellows shall have been given for the election of such Principal or other person as last aforesaid.

14. The election in such excepted cases shall always be held more than thirty days before the usual stated day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges; provided also, that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

15. Any Fellow who shall marry or become possessed of any benefice, property, pension, or office which would in ordinary

ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Warden and all the Fellows qualified to vote in the election of Fellows, or if he shall be Principal of any Hall (not being a private Hall), by two-thirds of the votes of the Warden and all the Fellows qualified as aforesaid: Provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would be otherwise vacated.

16. Every Professor, Public Lecturer, or Principal of a Hall elected to or retained in a Fellowship by virtue of either of the foregoing clauses numbered 13 and 15, shall, upon ceasing to hold such Professorship, Public Lecturership, or Principalship, vacate his Fellowship.

17. It shall be lawful for the Warden and Fellows qualified as aforesaid, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Warden and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Warden and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

18. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College shall thereupon vacate his Fellowship.

19. No Fellow shall be disqualified for retaining his Fellowship by reason of sickness or infirmity.

20. The provisions respecting the residence of Fellows, and the mode of granting leave of absence from the University, contained in the existing Statutes, shall be henceforth void. The Warden and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows within the University, and respecting the mode in which, and the conditions under which, leave of absence may be granted to

any Fellow, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime and until such regulations can be made, the Warden and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the members of the College.

21. It shall be lawful for the Warden and Fellows to suspend indefinitely, or for such periods as they may think proper, the election to the first and eleventh Fellowships which shall become vacant after the approval of this Ordinance, and to apply the emoluments of the Fellowships or Fellowship so suspended to the augmentation of the number or of the stipends or allowances of the Postmasters, Scholars, and Exhibitioners within the College, or to the maintenance or endowment of Lectureships within the College, or partly to some and partly to others of those objects, in such manner and proportions as the Warden and Fellows shall from time to time determine.

22. The third, fifth, seventh, and ninth Fellowships which shall become vacant after the approval of this Ordinance shall not be filled up, and the emoluments thereof, to an amount not exceeding 800*l. per annum*, shall be applied to the maintenance of a Professorship of Physiology, to be called the "Linacre Professorship of Physiology," which shall be established within the University under the provisions of an Ordinance or Ordinances hereafter to be made by us the said Commissioners, or other the Commissioners exercising the powers of the said Act, or, in default thereof, by a Statute or Statutes of the University, which Statute or Statutes shall be subject to the consent of the Warden and Fellows. If the aggregate emoluments of those four Fellowships shall in any year exceed 800*l.*, the surplus beyond that sum shall fall into and be part of the general revenues of the College.

23. For the purposes of this Ordinance any Fellowship or Fellowships which may be vacant when this Ordinance shall be approved by Her Majesty in Council shall be considered as having become vacant immediately after such approval

24. The emoluments of the Fellowships which the Warden and Fellows are hereby empowered or directed not to fill up shall be the sums which would in each year have been payable to the holders of the same Fellowships, if the same had been filled up, and if the persons elected had resided in the University during the period required of them by the Statutes or Regulations of the College in force for the time being.

25. The number of Fellowships within the College shall never be less than eighteen (exclusive of Fellowships which the Warden and Fellows are hereby directed or empowered not to fill up), unless the Visitor shall think fit, on a petition in writing subscribed by the Warden and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Warden and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Postmasters, Scholars, or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education. The Warden and Fellows shall not be bound by virtue of anything in the existing Statutes to augment the number of Fellowships above eighteen; but they shall, if and as soon as the increased revenues of the College will conveniently permit, raise it to twenty-four at least; and no Fellow hereafter to be elected shall receive more than 250 *l.* a year in respect of his Fellowship (exclusive of rooms, or any allowance in respect thereof, but inclusive of all other allowances), so long as the number shall be less than twenty-four. This direction, however, shall be without prejudice to the power of the Warden and Fellows to apply any part of such increased revenues to other College purposes.

26. The Warden and Fellows shall once at least in every ten years lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the time which shall have elapsed since the date of the last statement (as the case may be), and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements, and general state and condition of the College. And it shall be lawful for the Visitor

Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than 300*l.* a year, (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances), to direct either that the number of Fellowships shall be increased above twenty-four, or that any part of such revenues shall be applied in increasing the number or emoluments of the Postmasterships, Scholarships, or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Warden and Fellows, with the approbation of the Visitor, shall determine.

27. In elections to the Postmasterships of the foundation of John Wyllyot, the Scholarships of the foundation of Henry Jackson, and the Exhibitions of the foundation of Edmund Arnold, no person shall be either entitled to preference or ineligible on account of his place of birth, or place of education, or by reason of his being or not being of the kindred of any person named in any Statute, Will, Deed, or other instrument of foundation.

28. The Postmasters, Scholars, and Exhibitioners of the said foundations shall be elected by the Warden and such of the Fellows as shall be Tutors or Lecturers of the College, after an examination of the candidates in such subjects, and conducted in such manner, as the Warden and Fellows shall determine; and that candidate (being otherwise duly qualified according to the Statutes of the College in force for the time being, and the instruments of foundation of the said Postmasterships, Scholarships, and Exhibitions respectively,) shall be elected, who, after such examination, shall appear to the electors to be of the greatest merit, and most fit to be admitted a Postmaster, Scholar, or Exhibitioner, as the case may be. Every election of Scholars of the foundation of Henry Jackson shall require confirmation by the Visitors of that foundation. The election of Postmasters, Scholars, and Exhibitioners shall take place on a stated day or stated days in each year to be appointed by the Warden and Fellows (subject to the provision for postponement hereinafter contained); and notice of such intended election shall be given by the Warden, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

29. The Postmasterships of the foundations of John Wyllyot and John Chamber, the Scholarships of the foundation of Henry

Henry Jackson, and the Exhibitions of the foundation of Edmund Arnold, shall respectively be tenable for twenty Terms from election, (inclusive of the Term in which the election shall have taken place,) and no longer. The Warden and Fellows shall not be required to elect to more than three Postmasterships of the foundation of John Wyllyot, or more than one Scholarship of the foundation of Henry Jackson, in any one year. In case, in any election to a Postmastership of the foundation of John Chamber, no candidate shall offer himself duly qualified by nomination and otherwise according to the instrument of foundation, and whom the Warden and Fellows shall deem of sufficient merit to be admitted a Postmaster, the Postmastership shall be thrown open for that turn to all persons educated for not less than two years in the School of Eton College; and in default of a candidate so educated, whom the Warden and Fellows shall deem of sufficient merit for election, the election to the Postmastership shall be thrown open for that turn to general competition, and shall be held in the same manner and after the same previous notice as the elections to Postmasterships of the foundation of John Wyllyot.

30. The Warden and Fellows may deprive any Postmaster, Scholar, or Exhibitioner of his Postmastership, Scholarship, or Exhibition, for any misconduct which, in their judgment, shall merit deprivation.

31. The Warden and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if those Statutes had contained no such clause or provision.

32. The power of depriving Fellows for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Warden and Fellows, and shall be exercised by the vote of the major part of the Warden and all the Fellows, subject only to such appeal to the Visitor as is hereinafter provided: Provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

33. Whenever there shall be no duly qualified candidate for a vacant Fellowship, for a Postmastership of the foundation of John Chamber which shall have been thrown open as aforesaid, for a Postmastership of the foundation of John Wyllyot,

Wyllyot, or for a Scholarship or Exhibition, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship, Postmastership, Scholarship, or Exhibition, shall fall vacant, and there shall not be time to give the notice hereinbefore directed before the day of election, the election shall be postponed to some other day, to be fixed by the Warden and Fellows for the purpose, not later than the next ensuing stated day of election in the case of a Fellowship of Fellows, and in the case of a Postmastership, Scholarship, or Exhibition, of Postmasters, Scholars, or Exhibitioners, respectively; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

34. The Warden and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Warden and Fellows shall think proper: Provided, that it shall be lawful for the Visitor, upon the petition of the Warden or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if the Visitor shall think fit: Provided also, that the Wardenship shall not be deemed to be an office within the meaning of this clause.

35. The Warden and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Warden and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

36. The

36. The oaths prescribed by the existing Statutes shall not hereafter be taken. But every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall, at the time of his election or admission, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Byelaws of the College in force for the time being, so far as they may concern him; and the electors to any place or office, before electing to which an oath is now required shall, before electing, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

37. There shall be two stated general meetings at least of the Warden and Fellows in every year, on such days as the Warden and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. Except in cases in which the concurrence of any specified proportion of the Warden and Fellows, or the consent of the Warden, is hereby made requisite, every question arising at any College meeting shall be decided by a majority of the votes of those present. Whenever the votes shall be equal, the Warden shall have an additional casting vote. Any Statute, rule, or usage of the College which does or may prohibit or restrain, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the Warden and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

38. The power which is given by the existing Statutes to the Sub-Warden to act in place of the Warden, and the power of any officer of the College who may hereafter be authorised by any Statute or Byelaw to act in place of the Warden, shall be deemed to extend to all the acts which the Warden is hereby authorised or directed to do, except the giving consent to any commutation, regulation, or diminution of the Warden's emoluments.

39. If

39. If in any case it shall appear to the Visitor that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor, from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

40. It shall be lawful for the Visitor, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College, or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit, at other times, to require the Warden and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

41. As often as any question shall arise on which the Warden and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College in force for the time being, it shall be lawful for the Warden and Fellows, or for the Warden or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

42. It shall be lawful for the Warden or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Warden and Fellows, and for any Postmaster, Scholar, or Exhibitioner, who may have been deprived of his Postmastership, Scholarship, or Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow

disallow and annul such act or decision, and to reverse or vary such sentence as he shall deem just.

43. It shall be lawful for the Visitor, either *proprio motu*, or on the complaint of the Warden or any of the Fellows, to disallow and annul any byelaw or resolution of the Warden and Fellows, which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

44. The power given by the existing Statutes to the Warden, and ten or eight senior Fellows, of making Statutes, Rules or Byelaws, shall not hereafter be exercised.

45. The particular provisions of the existing Statutes respecting the subjects of study and instruction within the College; and respecting the dress, conversation, and other personal habits of its members; and respecting the meals of the members of the College, and the mode of serving and conducting the same; and respecting the inquiries to be made into the life and conduct of the members of the College, and the mode of making the same; and respecting the admission of strangers into the precincts of the College; and respecting the service of the College; and respecting progresses and the appointment of bailiffs, and other matters relating to the supervision of the property of the College, shall be henceforth void. The Warden and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor, on the part of any person who may deem himself aggrieved thereby, as is hereinbefore provided.

46. The Warden and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, repeal or alter any of the Statutes of the College in force for the time being, with the consent of the Visitor.

47. Whenever the words "the Fellows," or "the Warden and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows; and nothing herein contained shall be construed to give to Probationers any power which they

they would not have had if this Ordinance had not been made.

48. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our common seal, this 19th day of February 1857.

L. S.

COPY of an ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the Statute 17 & 18 Vict. c. 81, in relation to PEMBROKE COLLEGE, in the University of OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the 17th & 18th years of the reign of Her Majesty Queen Victoria, intituled, "An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Pembroke College in the said University:—

1. In elections to the office of Master of the said College, no person shall be entitled to preference on account of his being or having been a Fellow of the College, or a Member of Baliol College or of University College. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being) who, in their judgment, shall be most fit for the government of the College as a place of religion, learning, and education.

2. The Master and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Mastership, wholly or partially, for a stipend or annual sum of money payable

payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Master's emoluments, whether commuted or uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Master without his consent; provided also, that the Visitor, upon the petition of the Master, or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

3. If at any time it shall appear that the Master has become permanently incapable of performing the duties of his office, the Vice-Gerent shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying him to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Master (as the case may be), it shall appear to the satisfaction of the Visitor that the Master has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-Gerent, shall be presented to him, to be Vice-Master of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the Master's emoluments as the Visitor shall think fit; provided that the Master shall be at liberty to retain his lodgings. And such Vice-Master shall, so long as the Master shall retain his office, and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties and have all the powers and authorities of Master, except the power of consenting to any commutation, regulation, or diminution of the Master's emoluments, and shall be liable to deprivation for the same causes and in the same manner. If any Vice-Master shall die, resign his office, vacate, or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Vice-Master in the same manner. It shall be lawful for the Visitor, if at

any time he shall be satisfied that the Master's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

4. The Fellowship of the foundation of King Charles the First, within the College, shall be converted into Scholarships in manner hereinafter mentioned.

5. From and after the first vacancy which shall occur in the said Fellowship (or, if the same shall be vacant when this Ordinance shall be approved by Her Majesty in Council, then from and after such approval), that proportion of the whole sum payable to the College on account of the said foundation, which by the Letters Patent of King Charles the First, dated the 17th day of June, in the 11th year of his said Majesty's reign, is appropriated to the maintenance of a Fellowship, shall be applied to the maintenance of incorporated Scholars within the said College, to be called King Charles the First's Scholars, between whom the amount of the said emoluments shall be divided in equal shares.

6. The number of the said Scholars shall be such as the Master and Fellows shall from time to time determine; provided that it be not less than two, nor so great as to reduce each Scholar's share of the said emoluments below 50*l.* per annum. The senior for the time being in residence of the King Charles the First's Scholars shall always be entitled to rooms within the College rent-free.

7. The King Charles the First's Scholars shall be elected by the Master and Fellows from persons born in Jersey or Guernsey, or in one of the islands adjacent to them, or educated for the two years last preceding the election either at Victoria College in Jersey or at Elizabeth College in Guernsey.

8. The election of the King Charles the First's Scholars shall take place on the same day as that fixed for the election of Abingdon Scholars, subject to the provisions for postponement hereinafter contained. The candidates shall be examined in such subjects and in such manner as the Master and Fellows shall determine; and that candidate (being otherwise duly qualified according to the Statutes in force for the time being) shall be elected who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

9. The

9. The emoluments of all the Fellowships within the College (except the Fellowship of King Charles the First's foundation), including so much of the yearly sum payable under the said Letters Patent of King Charles the First as is not thereby appropriated to the maintenance of the last-mentioned Fellowship, and the emoluments of the several Scholarships of the foundations of Thomas Tesdale, Richard Wightwick, Francis Wightwick, Sir John Benet, and Sir John Phillips, and also any sum which may become available by the commutation of the Master's emoluments, shall be consolidated into a common fund for the maintenance of Fellowships and incorporated Scholarships within the College, in manner hereinafter mentioned.

10. All the emoluments of each of the said Fellowships and Scholarships which would have been payable to the Fellow or Scholar for the time being if this Ordinance had not been made, from and after the next vacancy, or as to any of them which may be vacant when this Ordinance shall be approved by Her Majesty in Council, from and after such approval, and any sum which may become available by the commutation of the Master's emoluments, from and after the time when such commutation shall come into operation, shall be carried to a general account in the College books, and all monies carried to such general account shall be applicable to the following purposes, but (subject to the provisions of this Ordinance as to the number of Fellowships and Scholarships, and the emoluments of Fellows and Scholars hereafter to be elected) in such order, manner, and proportions as the Master and Fellows shall think most expedient; namely—

(1.) In equalising as far as may be, after the number of the Fellows of the College shall be reduced to ten, the incomes of the Fellows for the time being, and in increasing such incomes to any amount not exceeding 200*l.* a year each:

(2.) In increasing the stipends or emoluments of all or any of the present incorporated Scholars of the College elected since the passing of the said Act:

(3.) In payment of the stipends or emoluments of incorporated Scholars and Fellows hereafter to be elected pursuant and subject to the provisions of this Ordinance:

Provided that any money which may not be required for any of the aforesaid purposes may from time to time be

retained and accumulated, and the accumulations may be applied to all or any of those purposes as the Master and Fellows shall think fit, and that nothing herein contained shall prejudice the right of the Master and Fellows to apply any part of the corporate revenues of the College to the payment of stipends to College officers, or other corporate purposes.

11. The number of Fellowships within the College shall never be less than ten, but, subject to this provision, shall be as great as the Master and Fellows shall from time to time determine, having regard to the requirements of the College and the amount of the Common Fund; provided that no Fellows shall receive out of the Common Fund more than 200*l.* in a year whilst the number of Fellowships shall be less than sixteen, or the number of incorporated Scholarships less than sixteen, exclusive of the King Charles the First's Scholarships and Bishop Morley's Scholarship.

12. No Fellow hereafter to be elected shall be entitled to receive out of the Common Fund in any year a larger sum than any other Fellow hereafter to be elected.

13. There shall always be two Fellows of the College who shall be called the Sheppard Fellows, of whom one shall be called to the Bar, or be admitted an advocate at Doctors' Commons, as soon as he lawfully can after his election; and the other shall, as soon as he lawfully can after his election, proceed to the degrees of Bachelor and Doctor of Medicine in the University. Any Sheppard Fellow not complying with this provision shall vacate his Fellowship; provided that the Master and Fellows may allow such call or admission or the taking of any such degree (as the case may be) to be postponed for any period not exceeding (except in case of grave illness or unsoundness of mind) two years.

14. No present or future Fellow shall be incapable of being elected to and holding any College office by reason of his being a member of any particular foundation.

15. In elections to Fellowships within the College no person shall be either entitled to preference or ineligible by reason of his place of birth, or of his being or not being of the name, lineage, or kindred of any person named in any statute, charter, or other instrument of foundation, or of his being or not being, or having been or not having been, a Scholar or Member of the College, or of any particular foundation therein, or of any school, or of his being or not being

being capable of being elected to any other emolument in the College, or of his pecuniary circumstances, or of his having or not having taken any degree: Provided, that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office, which, if acquired after election, would have disqualified him for continuing a Fellow.

16. The election of Fellows and Scholars shall be vested in the Master and Fellows present at the time of election, the vote of the Master being counted as two votes; in case of an equality of votes, the Master shall have an additional casting vote.

17. The election of Fellows shall be held in Hilary Term, on a stated day to be appointed by the Master and Fellows (subject to the provisions for postponement hereinafter contained), and notice of every intended election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Master, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

18. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Master and Fellows shall determine, provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognised in the Schools of the University; and the Master and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who after such examination shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College, as a place of religion, learning, and education.

19. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled in possession, either by descent or devolution, or by virtue of any testamentary or other gift or settlement, for his life or for any greater estate to property, real or personal, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), shall, if the annual value of such

ecclesiastical benefice (being a benefice with cure of souls), clear of deductions (except for income or property tax), shall exceed 300*l.*, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources (including or not including a benefice with cure of souls), clear of deductions as aforesaid, shall exceed 500*l.*, vacate his Fellowship on the 1st of January next after he shall so be instituted or admitted or become entitled as aforesaid; and for this purpose the income which the estimated value of any property would produce if invested in Government securities at the price current at the time of the acquisition thereof shall, in case of doubt, be considered to be the income derivable from such property: Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice: Provided that, if any Fellow who shall become possessed of any such property or pension as aforesaid, shall, at the time of his becoming possessed thereof, hold the office of Dean, Tutor, or Lecturer within the College, and shall be found very useful in such office, the Master and Fellows may retain him in his Fellowship, either with or without the emoluments of the same, but with all the other rights and privileges of a Fellow: Provided also, that this power shall be exercised, if at all, at the next stated general meeting after the day on which the Fellowship would otherwise be vacated. Upon ceasing to hold one of such offices within the College, the Fellow so retained shall vacate his Fellowship.

20. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(*a*) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the Master and all the Fellows shall have been given, the Master's vote being counted as two votes.

(*b*) Any

(*b*) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma or by decree of Convocation, or any honorary degree; provided that two-thirds of the votes of the Master and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid, the Master's vote being counted as two votes.

21. The election in such excepted cases shall always be held more than 30 day sbefore the usual stated day of election, and the electors may, at the time of the election, determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges; provided also that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

22. Any Fellow who shall marry, or become possessed of any, benefice, property, pension, or office, which would in ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Master and all the Fellows, or if he shall be Principal of any Hall (not being a private Hall), by two-thirds of the votes of the Master and all the Fellows, the Master's vote being in each case counted as two votes; provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

23. Not more than one Fellowship shall at any one time be held by Professors or Public Lecturers elected as such under Clause 20 of this Ordinance, or retained under Clause 22 of this Ordinance, if and so long as the whole number of Fellowships within the College shall not exceed twelve.

24. Every Professor, Public Lecturer, or Principal of a Hall, elected to or retained in a Fellowship by virtue of either of the foregoing Clauses numbered 20 and 22, shall, upon ceasing to hold such Professorship, Public Lecturership, or Principalship, vacate his Fellowship.

25. It shall be lawful for the Master and Fellows, at stated general meetings, to elect distinguished persons to Honorary

Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Master and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Master and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

26. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College, shall thereupon vacate his Fellowship.

27. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University contained in the existing Statutes, shall be henceforth void. The Master and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows within the University, and respecting the mode in which, and the conditions under which, leave of absence may be granted to any Fellow, as they may deem expedient for the interests of the College as a place of learning and education; and may vary such regulations from time to time; and may enforce such regulations, if they shall think fit, by pecuniary penalties, and, in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Master and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the Fellows.

28. No present or future Fellow or Scholar shall be bound, as a condition of retaining his Fellowship or Scholarship, to enter into Holy Orders, or to proceed to the degree of Bachelor of Divinity, or (not being in Holy Orders) to study theology. But if at the time of holding an election to any Fellowship, other than a Sheppard Fellowship, there shall not be four Fellows in Holy Orders, the whole number of Fellowships (other than Sheppard Fellowships) being eight, or if there shall not be five, the whole number of Fellowships (other than Sheppard Fellowships) being above eight, but below

below twelve,—or six, the whole number of Fellowships (other than Sheppard Fellowships) being above eleven, but below fifteen,—no person shall be capable of being elected to such vacant Fellowship who shall not then be a priest or deacon of the United Church of England and Ireland.

29. No Fellow hereafter to be elected shall vacate his Fellowship by reason of his having held the same during any period of time mentioned in any Statute of the College or in any instrument of foundation; and no present or future Fellow or Scholar shall be disqualified for retaining his Fellowship or Scholarship by reason of his having refused to be presented to any benefice.

30. The number of incorporated Scholarships within the College shall never be less than ten, exclusive of the King Charles the First's Scholarships and Bishop Morley's Scholarship, but, subject to this provision, shall be as great as the Master and Fellows shall from time to time determine, having regard to the requirements of the College and the amount of the Common Fund.

31. Every person hereafter to be elected to any of the incorporated Scholarships, except the King Charles the First's Scholarships and Bishop Morley's Scholarship, shall receive not less than Fifty pounds a year out of the Common Fund, inclusive of all allowances, and shall be entitled to rooms within the College rent-free.

32. Of the incorporated Scholarships within the College there shall always be five at least which shall be called "Abingdon Scholarships," to be filled up by the election of persons educated at Abingdon School for the two years last preceding the day of election; such of the present Scholars of the College on the foundations of Thomas Tesdale and Richard Wightwick as have not been elected as of kin to the respective founders, but as Scholars in Abingdon School, being, for the purpose of such computation, counted as Abingdon Scholars. It shall be lawful for the Master of Abingdon School, the Master of Christ's Hospital at Abingdon, and the two senior Governors of the same Hospital, or the major part of them, to nominate every year, for one Abingdon Scholarship, one or more candidate or candidates, qualified as above mentioned, and the Master and Fellows shall elect the candidate (if but one) or the most proficient of the candidates (if more than one) so nominated, if in their judgment of sufficient merit, after an examination in such subjects

subjects, and conducted in such manner as the said Master and Fellows shall determine. In case of an equal division of votes among the nominators to the Abingdon Scholarships, the Master of Abingdon School shall have an additional casting vote.

33. In nominations and elections to the Abingdon Scholarships, no person shall be entitled to preference or ineligible by reason of his place of birth, or of his being or not being of the name, lineage, or kindred of any person named in any statute, charter, or other instrument of foundation, or by reason of his being or not being a Scholar of any particular foundation in Abingdon School.

34. The election of Abingdon Scholars shall take place annually in Hilary Term, on a day to be fixed by the Master, who shall give notice thereof to the Master of Abingdon School before the end of the preceding Michaelmas Term.

35. In elections to the Scholarships to be maintained out of the Common Fund (other than the said Abingdon Scholarships) no person shall be entitled to preference or ineligible on account of his place of birth or place of education, or of his being or not being of the name, lineage, or kindred of any person named in any statute, charter, or other instrument of foundation; or by reason of his being or not being capable of being elected to any other emolument in the College, or of his being or not being of such standing in the University as is required by any instrument of foundation relating to any Scholarship now existing in the College.

36. The elections to the Scholarships to be maintained out of the Common Fund (other than the Abingdon Scholarships) shall take place annually in Hilary Term, on a day to be fixed by the Master (subject to the provisions for postponement hereinafter contained), and notice of such intended election shall be given by the Master, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

37. The Scholars to be maintained out of the Common Fund (other than the Abingdon Scholars) shall be elected by the Master and Fellows after an examination of the candidates in such subjects, and conducted in such manner as the Master and Fellows shall determine; and that candidate shall be elected (being otherwise duly qualified according to the statutes in force for the time being) who after such examination

examination shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

38. No person who shall have attained the age of twenty years shall be capable of being elected to any of the Scholarships to be maintained out of the Common Fund.

39. The two Scholarships of the foundation of Edmund Boulter and the Exhibition of the foundation of Dr. John Radcliffe shall be consolidated in manner following; namely, the said Scholarships and Exhibition shall, as vacancies occur therein, not be filled up, but all the emoluments thereof respectively which would have been payable to the persons elected into the same and their successors, had the same been filled up, shall be applied, as they become available, in maintaining two Scholars within the College, to be called "The Boulter and Radcliffe Scholars," each of whom shall receive yearly one-half of the total amount of such emoluments. The time when the first election shall be held to each of the said Boulter and Radcliffe Scholarships shall be in the discretion of the Master and Fellows.

40. The election to the Boulter and Radcliffe Scholarshipsshall be held on the same days, in the same manner, and after the same previous notice as to the Scholarships (other than the Abingdon Scholarships) to be maintained out of the Common Fund. In elections to them no person shall be entitled to preference or ineligible on account of his parentage or place of birth, or of his being or not being of the name or kindred of any person named in any instrument of foundation, or of his being or not being intended for any particular profession.

41. The five Scholarships of Bishop Morley's foundation shall be consolidated into one Scholarship, to be called "Bishop Morley's Scholarship," the holder of which shall be considered as one of the incorporated Scholars of the College, and to which the same persons shall be eligible, and the day and manner of election shall be the same, as to the King Charles the First's Scholarships. The Bishop Morley's Scholar shall be entitled to rooms rent-free, to be assigned to him by the Master. He shall not be required to enter into the promise or engagement, or into the obligation which the Scholars of Bishop Morley's foundation are by the instrument of foundation now required to enter into.

42. The

42. The elections to the King Charles the First's Scholarships and Bishop Morley's Scholarship shall, as to the years in which the same shall be held, be so regulated with reference to the elections to Scholarships on King Charles the First's foundations at Exeter College and Jesus College, that an election to one Scholarship at least on one or other of those four foundations may, as far as possible, be held every year. The Master and Fellows may for this purpose make such arrangements as they shall think proper with the governing bodies of Exeter College and Jesus College, and may suspend the elections to the said King Charles the First's and Bishop Morley's Scholarships within Pembroke College so often and for so long as may be necessary or convenient for the same purpose, and may retain the emoluments of any suspended Scholarship during the period of suspension, and employ the same in augmenting the value or number of the Scholarships on either or both of those two foundations, in such manner as they shall think fit.

43. The three Scholarships of the foundation of Francis Rous shall be consolidated into one Scholarship, to be called the "Rous Scholarship." In elections to the Rous Scholarship no person shall be entitled to preference by reason of his being of the posterity or consanguinity of any person named in any instrument of foundation, or of his intending to take Holy Orders; and no person shall be ineligible by reason of his having 10*l.* per annum. But as often as it shall become vacant it shall be lawful for the Head Master of the School of Eton College to nominate for such Scholarship one or more candidate or candidates, being a Scholar or Scholars of Eton College, educated for not less than two years in that College. And the Master and Fellows of Pembroke College shall elect the candidate (if but one) or the most proficient of the candidates (if more than one) so nominated, if in their judgment of sufficient merit, and otherwise qualified for election, after an examination in such subjects and conducted in such manner as the said Master and Fellows shall determine.

44. The two Scholarships of Dame Elizabeth Holford's foundation shall be consolidated into one Scholarship, to be called the "Holford Scholarship." The Holford Scholar shall be elected by the Master and Fellows from candidates being Scholars of the Charter House School, on the foundation of Thomas Sutton, after a competitive examination of such candidates. If on any vacancy two or more of such candidates shall not present themselves, or if of the candidates

dates who shall present themselves there shall be none whom the Master and Fellows shall judge of sufficient merit and otherwise qualified for election, the Scholarship shall be thrown open for that turn to all Scholars of the Charter House School, educated for not less than two years at that school.

45. The consolidation of the Bishop Morley, Rous, and Holford Scholarships shall be effected in the same manner, *mutatis mutandis*, as that of the Boulter and Radcliffe Scholarships.

46. The elections to the Rous and Holford Scholarships and to the Scholarships of the foundation of George Townsend shall be held on the day which shall be appointed for elections to the Abingdon Scholarships. The Master shall, in each case, before the end of the preceding Michaelmas Term, give notice of the intention to elect a Rous Scholar to the Head Master of the School of Eton College, of the intention to elect a Holford Scholar to the Head Master of the Charter House School, and of the intention to elect a Scholar or Scholars on George Townsend's foundation to the Head Master or Head Masters of the School or Schools from which, according to the instrument of foundation of those Scholarships, the vacancy or vacancies is or are to be filled up.

47. Whenever a King Charles the First's Scholarship, an Abingdon Scholarship, a Bishop Morley, Rous, or Holford Scholarship, or a Scholarship on George Townsend's foundation, shall be vacant, and no candidate shall offer himself for such Scholarship duly qualified by nomination or otherwise according to the foregoing provisions, or, in the case of a Townsend Scholarship, qualified according to the instrument of foundation of those Scholarships (as the case may be), whom the electors shall judge of sufficient merit for ele tion, such Scholarship shall be thrown open for that turn, and the election shall be postponed to a day, to be fixed by the Master and Fellows, not later than the next ensuing day of election to the Scholarships (other than the Abingdon Scholarships) to be maintained out of the Common Fund, and shall be conducted in the same manner and after the same previous notice as the election to such Scholarships.

48. Whenever there shall be no duly qualified candidate for a vacant Fellowship or for any Scholarship to be maintained out of the Common Fund (other than an Abingdon Scholarship), or for any Scholarship which shall have been thrown

thrown open as aforesaid, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice hereinbefore directed before the day of election, the election to that Fellowship or Scholarship shall be postponed to some other day, to be fixed by the Master and Fellows for the purpose, not later than the day which shall be appointed for the election, in the case of a Fellowship, to Fellowships, and in the case of a Scholarship, to Scholarships to be maintained out of the Common Fund (other than Abingdon Scholarships), in the next year; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

49. All the Scholarships to be maintained out of the Common Fund, the King Charles the First's Scholarships, Bishop Morley's Scholarship, the Boulter and Radcliffe Scholarships, the Rous Scholarship, and the Holford Scholarship, shall respectively be tenable for five years and no longer, except in the case of any Scholar to whom the Master and Fellows may grant an extension of time, which shall in no case exceed two years from the expiration of the said term of five years: Provided that in the case of any Scholarship the election to which shall have been postponed under the foregoing provision the said term shall be computed from the day on which the election would have taken place if there had been no postponement. And every incorporated or unincorporated Scholar who shall marry, or shall be elected to a Fellowship in the College, or to a Fellowship or Scholarship in any other College, shall, thereupon, vacate his Scholarship; but no Scholar shall be disqualified for retaining his Scholarship by reason of his having become possessed of property exceeding in value 10 *l.* a year.

50. The Master and Fellows may grant leave of absence from the University to any Scholar so often and for so long as they may think fit, without forfeiture or diminution of the emoluments of his Scholarship.

51. The Fellows and Scholars to be maintained out of the Common Fund, the King Charles the First's Scholars, and Bishop Morley's Scholar, shall be subject, as regards qualification for election and otherwise, to the Statutes of the College in force for the time being; and all the Scholars shall be subject to such regulations as to their residence, instruction,

tion, discipline, and attendance on Divine Worship, as the Master and Fellows shall from time to time determine, and shall be subject to deprivation by the Master and Fellows for such misconduct as in the judgment of the Master and Fellows may merit deprivation.

52. The power of depriving the Master for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him after due inquiry upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as, according to the Statute of the College in force for the time being, shall require deprivation, shall be vested in the Master and Fellows, and shall be exercised by the vote of the major part of the Master and all the Fellows, subject only to such appeal to the Visitor as is hereinafter provided: Provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

53. The oaths prescribed by the existing Statutes shall not hereafter be taken. But every person elected to a Fellowship shall, on his admission, make a declaration to the effect that he will obey the Statutes and Byelaws of the College in force for the time being, and will faithfully discharge his duties as a Fellow of the College; and every person elected to a Scholarship shall, on his admission, be admonished by the Master to obey the Statutes of the College in force for the time being so far as they may concern him; and every person admitted to the Mastership or to any College office on admission to which any oath is by the Statutes now in force prescribed to be taken, shall make a declaration to the effect that he will faithfully discharge the duties of such office, and obey the Statutes and Byelaws of the College in force for the time being.

54. No member of the College shall hereafter be bound by any resolution of the Master and Fellows respecting the election to any University office.

55. The Master and Fellows may from time to time regulate, as they shall think fit, the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends

or

or emoluments as the Master and Fellows shall think proper: Provided that it shall be lawful for the Visitor, upon the petition of the Master or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if the Visitor shall think fit: Provided also, that the Mastership shall not be deemed to be an office within the meaning of this clause.

56. The Master and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Master and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

57. There shall be two stated general meetings at least of the Master and Fellows in every year, on such days as the Master and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Master shall be counted as two votes at all College meetings, and in the deprivation of Fellows and Scholars. Subject to the foregoing provisions, and except in cases in which the concurrence of any specified proportion of the Master and Fellows, or the consent of the Master is hereby made requisite, every question arising at any College meeting shall be decided by a majority of the votes of those present. Whenever the votes shall be equal, the Master shall have an additional casting vote. Any statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be hereafter void: Provided, that the Master and Fellows may make from time to time such rules for regulating the proceedings of College meetings, and for determining

determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

58. The power which is given by the existing Statutes to the Vice-Gerent to act in place of the Master and the power of any officer of the College who may hereafter be authorised by any Statute or Byelaw to act in place of the Master shall be deemed to extend to all the acts which the Master is hereby authorised or directed to do, except the giving consent to any commutation, regulation, or diminution of the Master's emoluments.

59. The particular provisions of the existing Statutes respecting the subjects and hours of study and instruction within the College, and the disputations and other exercises to be performed by its members, and respecting the preaching and hearing of University sermons by the members of the College, and respecting the dress and other personal habits of its members, and the conditions of their going beyond the precincts of the College, and respecting the meals of the members of the College, and the mode of serving and conducting the same, and respecting the punishments for offences not being such as require deprivation, and respecting the admission of strangers into the precincts of the College, and respecting the reading of the Statutes, and respecting the number, duties, and payment of the servants of the College, and respecting the custody of the monies, plate, and other goods of the College other than the muniments and seals, shall be henceforth void. The Master and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions, or any of them, are respectively intended to effect, and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby as is hereinafter provided.

60. The Master and Fellows shall, once at least in every ten years, lay before the Visitor a statement, in writing, of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to

form a judgment of the means and requirements and general state and condition of the College.

61. If in any case it shall appear to the Visitor that by reason of any change in the value of money, any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor from time to time for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

62. It shall be lawful for the Visitor once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit at other times, to require the Master and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

63. As often as any question shall arise on which the Master and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College in force for the time being, it shall be lawful for the Master and Fellows, or for the Master or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

64. It shall be lawful for the Master or for any Fellow if he shall conceive himself aggrieved by any act or decision of the Master and Fellows, and for any Scholar who may have been deprived of his Scholarship, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for

for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence as he shall deem just.

65. It shall be lawful for the Visitor, either *proprio motu* or on the complaint of the Master or of any of the Fellows, to disallow and annul any byelaw or resolution of the Master and Fellows which shall, in the Visitor's judgment, be repugnant to any of the statutes of the College in force for the time being.

66. The Master and Fellows may from time to time at any stated general meeting, subject to the provisions of the section numbered XL. in the Queens' Printers' copy of the said Act, by a majority of not less than two-thirds of the votes of those present, the vote of the Master being counted as two votes, repeal or alter from time to time any of the Statutes of the College in force for the time being, with the consent of the Visitor.

67. This Ordinance shall be without prejudice to the right (if any) of any Scholars of the College elected before the passing of the said Act to succeed, or be elected to Fellowships; and the words "present Fellows of the College" are in this Ordinance intended to include any persons who may succeed or be elected to Fellowships by virtue of any such right; and the words "Fellows hereafter to be elected" are intended not to include such persons.

68. This Ordinance shall also be without prejudice to the right (if any) of any of the present Fellows of the College, under the Statutes or under any Instrument of Foundation, to receive the emoluments of any Fellowships or Fellowship which may be or become vacant during the vacancy thereof, and shall be otherwise without prejudice to any existing interest, (being such an interest as is intended to be saved by the said Act,) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal this 19th day of February 1857.

L. S.

COPY of an ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the STATUTE 17 and 18 Vict. c. 81, in relation to UNIVERSITY COLLEGE, in the UNIVERSITY of OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the 17th and 18th years of the reign of Her Majesty Queen Victoria, intituled, "An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of St. Mary, Winchester," do, in execution of the powers given to us by the said Act, ordain as follows, in relation to the College of the Great Hall of the University, otherwise called University College.

1. In elections to the office of Master of the said College, no person shall be entitled to preference by reason of his being or having been a Fellow or Scholar of the College, or educated therein. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being), who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education.

2. The Master shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term; and in case of his being detained from residence, by sickness or any other urgent cause, during any portion of the period hereby prescribed, he shall forthwith notify the same, and the cause thereof, to the Lord Chancellor. These regulations shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Master.

3. The Master and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Mastership, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Master's emoluments, whether commuted or uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Master without his consent: Provided also, that the Lord Chancellor, upon

upon the petition of the Master or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

4. If at any time it shall appear that the Master has become permanently incapable of performing the duties of his office, the Vice-Gerent shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Lord Chancellor, setting forth the circumstances of the case, and praying him to inquire into the truth of them. And if upon such inquiry, or upon a petition presented by the Master (as the case may be), it shall appear to the satisfaction of the Lord Chancellor that the Master has become permanently incapable of performing his duties, then it shall be lawful for the Lord Chancellor to nominate one of such two Fellows as by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-Gerent shall be presented to him, to be Pro-Master of the College, and to assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the Master's emoluments as the Lord Chancellor shall think fit; provided that the Master shall be at liberty to retain his lodgings. And such Pro-Master shall, so long as the Master shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Master, except the power of consenting to any commutation, regulation, or diminution of the Master's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes, and in the same manner. If any Pro-Master shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, it shall be lawful for the Lord Chancellor to appoint a new Pro-Master in the same manner. It shall be lawful for the Lord Chancellor, if at any time he shall be satisfied that the Master's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments. These provisions shall take effect in lieu of the provisions of the existing Statutes relating to the incapacity of the Master.

5. In elections to Fellowships within the College, no person shall be either entitled to preference or ineligible by reason of his aptitude or want of aptitude for any particular Faculty mentioned in the Statutes, or of his having or not having taken any degree, or of his pecuniary circumstances; provided that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office, which, if acquired after election, would have disqualified him for continuing a Fellow. No person shall (except by virtue of Clause 18 of this Ordinance) be incapable of admission to a Fellowship on account of his not being in Holy Orders.

6. The election of Fellows shall take place on a stated day in each year, to be appointed by the Master and Fellows (subject to the provision for postponement hereinafter contained); and notice of every intended election, and of the conditions of election, shall be given by the Master, in such manner as he shall deem best adapted to ensure publicity, 30 days at least before the day of election.

7. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Master and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognised in the Schools of the University; and the Master and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

8. Every person elected to a Fellowship shall be entitled to receive during the period of probation the same emoluments as if he had been admitted an actual Fellow.

9. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled in possession, either by descent or devolution, or by virtue of any testamentary or other gift or settlement, for his life or for any greater estate, to property, real or personal, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University

versity of Oxford), and who shall retain such benefice, property, pension, or office for 12 calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls), clear of deductions (except for property or income tax), shall exceed 300 *l.*, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources (including or not including a benefice with cure of souls), clear of deductions as aforesaid, shall exceed 500 *l.*, vacate his Fellowship at the expiration of such 12 calendar months; and for this purpose the income which the estimated value of any property would produce, if invested in Government securities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice: Provided that, if any Fellow who shall become possessed of any such property, pension, or office as aforesaid shall then hold any educational office within the College, and shall be found very useful in such office, the Master and Fellows may, by a resolution adopted at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated, retain him in his Fellowship, either with or without the emoluments of the same, but with all the other rights and privileges of a Fellow. Upon ceasing to hold an educational office in the College, the Fellow so retained shall vacate his Fellowship.

10. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes; and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office which would in ordinary cases render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:

(*a.*) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the Master and all the Fellows shall have been given.

(*b.*) Any Principal of a Hall within the University not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree either by diploma or by decree of Convocation, or any honorary degree, provided that two-thirds of the votes of the Master and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid.

11. The election in such excepted cases shall always be held more than thirty days before the usual stated day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges; provided also, that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

12. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office which would in ordinary cases disqualify him for continuing a Fellow, may, nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Master and all the Fellows; or if he shall be Principal of any Hall (not being a private Hall), by two-thirds of the votes of the Master and all the Fellows; provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

13. Not more than one Fellowship shall at any one time be held by Professors or Public Lecturers, elected as such under Clause 10 of this Ordinance, or retained under Clause 12 of this Ordinance, if and so long as the whole number of Fellowships within the College, exclusive of suspended Fellowships, shall not exceed twelve.

14. Every Professor, Public Lecturer, or Principal of a Hall, elected to or retained in a Fellowship by virtue of either of the foregoing Clauses numbered 10 and 12, shall, upon ceasing to hold such Professorship, Public Lecturership, or Principalship, vacate his Fellowship.

15. It shall be lawful for the Master and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships

Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Master and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Master and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

16. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College, shall thereupon vacate his Fellowship.

17. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University, contained in the existing Statutes, shall be henceforth void. The Master and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education; and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Master and Fellows may at any ordinary meeting or meetings making provisional regulations for the same purposes, which shall be binding on the members of the College.

18. No present or future Fellow shall be bound, as a condition of retaining his Fellowship, to enter into Holy Orders, or not being in Holy Orders, to study Theology. But if at the time of holding an election to a Fellowship, there shall not be six Fellows of the College in Holy Orders, no person shall be eligible to such Fellowship who shall not then be a Priest or Deacon of the United Church of England and Ireland, or have declared that he intends to take Holy Orders in the said Church. Every person who shall be elected after

making such declaration shall be required to take Deacon's Orders at the least within two years from the day of his election, or if he shall not then be of sufficient age, within one year after the time at which he shall be of sufficient age, and in default thereof shall vacate his Fellowship: Provided that it shall be lawful for the Master and Fellows in the case of sickness, or for any other very urgent cause, to grant a delay for a period not exceeding six months.

19. The power of depriving Fellows for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Master and Fellows, and shall be exercised by the vote of the major part of the Master and all the Fellows, subject only to such appeal to the Lord Chancellor as is hereinafter provided: Provided that this Clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

20. The number of Fellowships within the College shall never be less than twelve, inclusive of the Fellowship which the Master and Fellows were by an Ordinance, dated the 9th day of June 1856, empowered to suspend, unless the Lord Chancellor shall think fit, on a petition in writing presented and subscribed by the Master and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Master and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

21. The Master and Fellows shall, once at least in every ten years, lay before the Lord Chancellor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the said Lord Chancellor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And

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it shall be lawful for the said Lord Chancellor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than 300 *l.* a year (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances), to direct either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Master and Fellows, with the approbation of the Visitor, shall determine.

22. The following Scholarships or Exhibitions shall hereafter be Scholarships of the College, namely :—

The four Scholarships of the foundation of Sir Simon Bennet.

The two Scholarships of the foundation of Dr. John Browne.

One Scholarship of the foundation of Mr. Thomas Browne, the holder of which shall receive all the emoluments now belonging to the two Scholarships of that foundation.

The Scholarship of the foundation of Mr. Otho Hunt.

The Scholarship of the foundation of Dr. Shepherd.

One other Scholarship to be henceforth maintained out of the corporate revenues of the College.

23. In elections to Scholarships of the College, no person shall be ineligible or entitled to preference on account of his place of birth, or of his being or not being of the name or kindred of any person named in any instrument of foundation. No person shall be eligible who shall have completed the eighth Term from that of his matriculation inclusive.

24. The emoluments of every Scholar of the College shall be not less than Fifty pounds *per annum*, inclusive of all allowances except for rooms; and every Scholar shall be entitled, during residence, to an additional allowance of Ten pounds *per annum* for rooms; the deficiency (if any) of the revenues of each foundation shall be made up out of the emoluments of any Fellowship which may be suspended by virtue

virtue of the said Ordinance of the ninth day of June, One thousand eight hundred and fifty-six, or, if there shall not be a sufficient amount available from that source, out of the corporate revenues of the College.

25. The Scholarships of the College shall be tenable for such a period, being not less than five years, nor more than six years, from the day of election inclusive, as the Master and Fellows shall from time to time, at any stated general meeting, determine. The Master and Fellows shall not be required to fill up more than two Scholarships of the College in any one year. Every Scholar or Exhibitioner who shall marry, or be elected to a Fellowship, or cease to be a Member of the College, shall thereupon vacate his Scholarship or Exhibition.

26. The election of Scholars of the College shall be held on a stated day in each year, to be appointed by the Master and Fellows (subject to the provision for postponement hereinafter contained); and thirty days at least before the day of election, notice of every intended election shall be given by the Master in such manner as he shall deem best adapted to ensure publicity.

27. The candidates for the Scholarships of the College shall be examined in such subjects and in such manner as the Master and Fellows shall appoint; and that candidate (being otherwise duly qualified according to the Statutes of the College in force for the time being) shall be elected, who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

28. In elections to the Scholarships or Exhibitions of the foundation of Mr. John Freeston, no person shall be ineligible or entitled to preference by reason of his place of birth; and no person shall be entitled to preference by reason of his having been educated at any School other than the Schools individually named in the instrument of foundation, or by reason of his having been educated at any School, unless he shall have been educated at such School for two years at least next preceding the day of election. Thirty days at least before the day of election to a Scholarship or Exhibition of that foundation, notice of every intended election, and of the conditions of election, shall be given by the

the Master to the Head Masters of the Schools individually named as aforesaid.

29. In elections to the Scholarships or Exhibitions of the foundation of Robert Gunsley, clerk, no person shall be ineligible or entitled to preference by reason of his place of birth; and no person shall be entitled to preference on account of his being a Scholar of any School, unless he shall have been educated at such School for one year at least next preceding the day of election.

30. The four Exhibitions of the foundation of Mr. William Lodge shall be consolidated into two Exhibitions, which shall be bestowed by the Master and Fellows on the Bible Clerks or such other deserving members of the College, as they shall deem to be most in need of support at the University, without preference on account of kinship or place of birth.

31. The Scholarships or Exhibitions of the foundations of Robert Dudley, Earl of Leicester, Mr. John Freeston, Robert Gunsley, clerk, and Mr. William Lodge, shall be tenable till the completion of eighteen terms from matriculation inclusive, and no longer.

32. Whenever there shall be no duly qualified candidate for a vacant Fellowship or Scholarship, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant and there shall not be time to give the notice hereinbefore directed before the day of election, the election shall be postponed to some other day, to be fixed by the Master and Fellows for the purpose, not later than the next ensuing stated day of election, in the case of a Fellowship, of Fellows, and in the case of a Scholarship, of Scholars of the College; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

33. Whenever there shall be no candidate for a vacant Scholarship or Exhibition of the foundation of Mr. John Freeston, duly qualified in respect of his place of education, whom the electors shall judge of sufficient merit for election, the Scholarship or Exhibition shall be thrown open for that turn to general competition, and the election shall be held on a day to be appointed by the Master and Fellows, not later than

than the next ensuing stated day of election to Scholarships of the College.

34. The Master and Fellows may, if they shall think fit, commute the stipend now payable to every Fellow of the College, or any part of such stipend, for an aliquot share of the corporate revenues of the College. It shall be lawful for the Lord Chancellor, upon the petition of any person who shall be a Fellow at the time of such commutation being determined on, and shall conceive himself aggrieved thereby, to disallow such commutation, if he shall think fit.

35. The Master and Fellows may from time to time regulate, as they shall think fit, the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Master and Fellows shall think proper: Provided, that it shall be lawful for the Lord Chancellor, upon the petition of the Master, or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also, that the Mastership shall not be deemed to be an office within the meaning of this Clause.

36. There shall be two stated general meetings at least of the Master and Fellows in every year, on such days as the Master and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. Except in cases in which the concurrence of any specified proportion of the Master and Fellows, or the consent of the Master is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present: if the votes shall be equal, the Master shall have an additional casting vote. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the Master and Fellows may make from time to time such

such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

37. The power which is given by the existing Statutes to the Vice-Gerent to act in place of the Master, and the power of any officer of the College who may hereafter be authorised by any Statute or Byelaw to act in place of the Master, shall be deemed to extend to all the acts which the Master is hereby authorised or directed to do, except the giving consent to any commutation, regulation, or diminution of the Master's emoluments.

38. The particular provisions of the existing Statutes respecting the subjects and hours of study and instruction within the College, and the disputations and other exercises to be performed by its members; and respecting the punishments for offences not being such as require deprivation; and respecting the reading of the Statutes; and respecting the custody of the monies and other goods of the College, other than the muniments and seal, shall be henceforth void. The Master and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Lord Chancellor on the part of any person who may deem himself aggrieved thereby as is hereinafter provided.

39. If in any case it shall appear to the Lord Chancellor that, by reason of any change in the value of money, any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the said Lord Chancellor from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

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40. The Master and Fellows shall, as often as they may be required to do so, answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of ascertaining whether the Statutes in force for the time being are duly observed.

41. It shall be lawful for the Master or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Master and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act, or decision, or sentence to the Lord Chancellor; and it shall be lawful for the Lord Chancellor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence as he shall deem just.

42. It shall be lawful for the Lord Chancellor, on the complaint of the Master, or of any of the Fellows, to disallow and annul any bye-law or resolution of the Master and Fellows which shall, in his judgment, be repugnant to any of the Statutes of the College in force for the time being.

43. The Master and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, repeal or alter any of the Statutes of the College in force for the time being, with the consent of the Visitor.

44. In the construction of this Ordinance the words "Lord Chancellor," shall mean the Lord High Chancellor of Great Britain, and shall include the Lord Keeper and Lords Commissioners for the custody of the Great Seal of Great Britain for the time being.

45. In the construction of this Ordinance, the Fellowships and Fellows of the College shall be taken to be the Fellowships and Fellows of the foundations mentioned in the existing Statutes of the College, and no others.

46. Whenever the words, "the Fellows," or "the Master and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows, and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

47. This

47. This Ordinance shall be without prejudice to the right of Her Majesty, Her heirs and successors, to visit the College, and to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal, this 4th day of March 1857.

L.S.

OXFORD UNIVERSITY.

COPIES of THREE ORDINANCES framed by
Oxford University Commissioners in relat
to MERTON, PEMBROKE, and UNIVERS
COLLEGES, in the UNIVERSITY of OXFO
respectively, under the 17 & 18 Vict. c. 8

(Presented pursuant to Act of Parliament.)

Ordered, by The House of Commons, *to be Printed*
11 *May* 1857.

Under 4 o

OXFORD UNIVERSITY.

ORDINANCES framed by the Oxford University Commissioners, under the 17 & 18 Vict. c. 81, in relation to NEW, WORCESTER, BALLIOL, ORIEL, BRASENOSE, WADHAM, TRINITY, ALL SOULS, JESUS, MAGDALEN, and MERTON COLLEGES, respectively.

Council Office, 25 June 1857. } WM. L. BATHURST.

COPY of an ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the Statute 17 & 18 Vict. c. 81, in relation to the COLLEGE of SAINT MARY of WINCHESTER, otherwise called NEW COLLEGE, in the UNIVERSITY of OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the 17th and 18th years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to the College of Saint Mary of Winchester, in the said University, otherwise and hereinafter called New College:—

1. The seventy places within the said College now held by perpetual Fellows or Scholars on two years of probation shall, as vacancies occur therein respectively, not be filled up in the same manner and under the same conditions as heretofore, but so that there shall hereafter be maintained within the College the thirty Fellowships and thirty Scholarships hereinafter mentioned.

2. In elections to fifteen of the said thirty Fellowships (which fifteen are hereinafter called "Winchester Fellowships") no person shall be eligible unless he shall either have been educated during two years at least in the school of the

College of Saint Mary Winchester, near Winchester (otherwise and hereinafter called "Winchester College"), or shall for at least twelve Terms have been a member of New College. In elections to the other fifteen (herein-after called "Open Fellowships"), no person shall be either entitled to preference or ineligible by reason of his having or not having been educated at any particular School, or of his being or not being a member of New College.

3. No candidate for any Fellowship within the College shall be either entitled to preference or ineligible by reason of his place of birth, or of his being or not being of the blood or kindred of William of Wykeham, the Founder of the College, or of his being or not being a Scholar of the College, or of his pecuniary circumstances; and no candidate shall be ineligible by reason of his being or having been a member of any other College, or of his having any bodily imperfection which might operate as a disqualification for Holy Orders, or of his having attained or exceeded his twentieth year: Provided, that no person shall be eligible to an Open Fellowship who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts; and no person shall be eligible to a Winchester Fellowship who shall not either have passed all the Examinations required by the University for the degree of Bachelor of Arts, or have taken the degree of Bachelor of Arts in some other University in Great Britain or Ireland; and no person shall be eligible to any Fellowship who shall be possessed of any benefice, property, pension, or office which, if acquired after election, would have disqualified him for continuing a Fellow.

4. No candidate for any Scholarship within the College shall be either entitled to preference or ineligible by reason of his place of birth, or of his being or not being of the blood or kindred of William of Wykeham, the Founder of the College; and no candidate shall be ineligible by reason of his having any bodily imperfection which might operate as a disqualification for Holy Orders, or by reason of his being entitled to any property or income exceeding five marks a year.

5. The emoluments of each Scholarship, inclusive of rooms and all allowances, shall be not less than 80 *l.* per annum. The Scholarships shall be respectively tenable for five years, and no longer: Provided, that in the case of any Scholarship the election to which may have been postponed as hereinafter provided, the said term of five years shall be computed from the day on which the election would have been held if there had been no postponement. Every Scholar who shall marry,

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or shall be elected to a Fellowship in New College, or to a Fellowship or Scholarship in any other College, shall thereupon vacate his Scholarship.

6. The vacant Scholarships shall be filled up annually, at a stated time, to be appointed by the Warden and Fellows of New College, by the election of boys receiving education in the School of Winchester College, no distinction being made between members of the foundation of that College and boys not members thereof. The conditions of eligibility in respect of age and standing in the school shall be the same for all persons, whether of the blood or kindred of the Founder or not, but, subject to this provision, shall be such as the Warden and Fellows of New College, with the consent of the Warden and Fellows of Winchester College, shall from time to time determine, or, in default thereof, shall be such as are now required in the case of persons elected and admitted to probation in New College, being not of the blood or kindred of the Founder. The election of Scholars shall be held at Winchester College, after an examination of the candidates in such subjects, and conducted in such manner, as the Warden and Fellows of New College shall from time to time determine; and the candidate or candidates shall be elected who, after such examination, shall appear to the electors to be of the greatest merit, and most fit to be a Scholar or Scholars of the College. Any vacant Scholarship for which there shall be no candidate duly qualified, and of sufficient merit in the judgment of the electors, shall be thrown open for that turn to general competition as an Open Scholarship, and the election shall be postponed to a day to be fixed by the Warden and Fellows of New College for the purpose, and shall be held at New College by the same persons, and after public notice for the same period, as the elections to Fellowships are to be held under this Ordinance, and after a competitive examination of the candidates in such subjects, and conducted in such manner, as the Warden and Fellows shall from time to time determine.

7. The whole number of thirty Fellowships and thirty Scholarships shall be completed as speedily as the occurrence of vacancies in existing Fellowships, and the amount of the funds thereby made available, will permit. The number of the fifteen Winchester Fellowships and the number of the fifteen Open Fellowships shall be progressively completed, as nearly as may be, *pari passu*. As between Fellowships and Scholarships, the whole number of the Fellowships and the whole number of the Scholarships shall be progressively completed at such a relative rate as the Warden and Fellows of New

College, having regard on the one hand to the continuance of due encouragement to the School of Winchester College, and on the other to the interests of New College as a place of education, shall deem expedient.

8. So soon as the whole number of thirty Fellowships and thirty Scholarships shall have been completed, and the average emoluments of each Fellow (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances) shall amount to 200 *l.* per annum, the number of Open Fellowships and that of Winchester Fellowships respectively shall be progressively increased to twenty as speedily as the amount of the corporate revenues of the College shall allow (but not so as at any time to reduce the emoluments of the Fellowships below 200 *l.* per annum); and no Fellow shall be entitled to receive more than 200 *l.* per annum in respect of his Fellowship so long as the whole number of Fellowships shall be less than forty.

9. The provisions of this Ordinance shall be subject to any Ordinance or Ordinances which may be hereafter duly made by the Commissioners exercising the powers of the said Act, for appropriating in such manner as may be thought fit any part of the revenues of the College to purposes for the benefit of the University at large in connexion with the Professoriate of the University.

10. The Fellows of the College hereafter to be elected shall be subject, as regards qualification for election and otherwise, to the existing Statutes of the College relating to Fellows, and the Scholars to the existing Statutes relating to persons admitted to two years of probation, so far as the same are consistent with the provisions of this Ordinance concerning Fellows and Scholars respectively; and the election at Winchester College of Scholars of New College shall be held by the same persons and in the same manner (subject to the provisions of this Ordinance) as the election of Scholars on two years of probation is by the existing Statutes directed to be held: Provided, that this clause shall not be deemed to limit or affect the power of repealing and altering Statutes hereinafter given to the Warden and Fellows.

11. This Ordinance shall be without prejudice to the right of every person whose name shall be in the Election Indenture which shall be in force when this Ordinance shall be approved by Her Majesty in Council to be admitted as a Fellow, if of kin to the Founder, or as a Scholar on two years of probation, in case of a vacancy; and to the right of every person who shall be so admitted, and of every present Scholar on two years

years of probation, to be admitted an actual Fellow of the College.

12. No person shall be incapable of being elected or appointed Warden of the College by reason of his not being or not having been a Fellow thereof. No person shall be capable of being elected or appointed who shall not be a Priest of the United Church of England and Ireland, and either a Graduate in Theology or Law, or a Master of Arts. The electors shall choose, and in case of lapse the Bishop of Winchester for the time being shall appoint, the person (being otherwise duly qualified according to the Statutes in force for the time being) who in their or his judgment, as the case may be, shall be most fit for the government of the College as a place of religion, learning, and education.

13. The Warden shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided, that in case of the Warden's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the Warden's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Warden.

14. The Warden and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Wardenship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Warden's emoluments, whether commuted or uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Warden without his consent: Provided also, that the Visitor, upon the petition of the Warden or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

15. If at any time it shall appear that the Warden has become permanently incapable of performing the duties of his office, the Sub-Warden shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present

a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Warden (as the case may be), it shall appear to the satisfaction of the Visitor that the Warden has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Sub-Warden, shall be presented to him, to be Pro-Warden of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the Warden's emoluments as the Visitor shall think fit; provided that the Warden shall be at liberty to retain his lodgings; and such Pro-Warden shall, so long as the Warden shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities, of Warden, except the power of consenting to any commutation, regulation, or diminution of the Warden's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes and in the same manner. If any Pro-Warden shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-Warden in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Warden's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

16. The election of Fellows shall be vested in the Warden and the Fellows present at the time of election; and that candidate shall be deemed elected for whom the greatest number of votes shall have been given.

17. The election of Fellows shall take place on a stated day or stated days in each year, to be appointed by the Warden and Fellows; and thirty days at least before every day of election, notice of such intended election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Warden in such manner as he shall deem best adapted to ensure publicity.

18. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Warden and Fellows shall determine; provided that the system of examinations

examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognised in the Schools of the University; and the Warden and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

19. Every person hereafter elected to a Fellowship shall, before being admitted an actual Fellow, undergo probation for one year from the day of his election inclusive, and no longer; and at the end of such year shall be admitted to an actual Fellowship, if found fit to be a Fellow of the College in the judgment of the Warden and Fellows. Every person admitted to such probation shall be entitled to receive, during the year of probation, the same emoluments as if he had been admitted an actual Fellow.

20. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled, either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls), clear of deductions (except for property or income tax), shall exceed 300 *l.*, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources (including or not including a benefice with cure of souls), clear of deductions as aforesaid, shall exceed 500 *l.*, vacate his Fellowship at the expiration of such twelve calendar months; and for this purpose the income which the estimated value of any property would produce, if invested in Three Pounds per Centum Consolidated Annuities, at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall, in this clause, include any estate or interest in possession in any property, real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such

such property or any of such sources of income shall have been acquired shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

21. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without any period of probation, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and although they may not have taken the degree of Bachelor of Arts in any University, or passed the examinations required for that degree by the University of Oxford, provided such persons are otherwise qualified for election. The excepted cases shall be as follows :—

(*a*.) Any Professor or Public Lecturer within the University of Oxford for whose election a majority of the votes of the Warden and all the Fellows shall have been given; the Warden's vote being counted as two votes.

(*b*.) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma or decree of Convocation, or any honorary degree: Provided, that two-thirds of the votes of the Warden and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid; the Warden's vote being counted as two votes.

22. The election in such excepted cases shall always be held more than thirty days before the usual stated day of election; and the electors may, at the time of election, determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges: Provided also, that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

23. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office, which would in ordinary cases disqualify him for continuing a Fellow, may, nevertheless,

nevertheless, if he shall then be a Professor, or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Warden and all the Fellows, or if he shall be Principal of any Hall (not being a private Hall) by two-thirds of the votes of the Warden and all the Fellows; the Warden's vote being in each case counted as two votes: Provided, that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

24. Every Professor, Public Lecturer, or Principal of a Hall elected to or retained in a Fellowship by virtue of either of the foregoing clauses numbered 21 and 23, shall, upon ceasing to hold such Professorship, Public Lecturership, or Principalship, vacate his Fellowship.

25. It shall be lawful for the Warden and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Warden and Fellows shall, by resolution, from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Warden and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

26. No Fellow or Scholar shall, by reason of anything contained in the existing Statutes, be liable, on ceasing to be a Member of the College, to refund any emoluments previously received by him; but every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University, or in Winchester College, shall thereupon vacate his Fellowship.

27. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University, contained in the existing Statutes, shall be henceforth void. The Warden and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and

and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the mean-time, and until such regulations can be made, the Warden and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the members of the College.

28. It shall be lawful for the Warden and Officers of the College for the time being, or the major part of them, to grant an exemption from the obligation to take Holy Orders to any Fellow who would according to the existing Statutes be required to do so, whenever they shall judge it to be consistent with the interests of the College as a place of religion and education to do so.

29. No Fellow, being a Master of Arts, shall be required, by reason of anything contained in the existing Statutes, to proceed to any degree in Law, Medicine, or Theology.

30. No Fellow shall, by reason of anything contained in the existing Statutes, be disabled from voting at any election, or from doing or taking part in any act or proceeding as a Fellow, or from being elected to any office, or appointed to discharge any duty, on account of his Faculty.

31. No Fellow shall be precluded by anything contained in the existing Statutes from applying for or taking advantage of graces granted by the University, or from proceeding to any degree at the earliest time allowed by the Statutes and regulations of the University.

32. Subject to the provisions of this Ordinance, and of any Ordinance hereafter to be made in exercise of the powers of the said Act, the number of Fellowships within the College shall never be less than thirty, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Warden and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Warden and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

33. The

33. The Warden and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than 300 *l.* a year, (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances,) to direct either that the number of Fellowships shall be increased above forty, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Warden and Fellows, with the approbation of the Visitor, shall determine. This clause shall be without prejudice to the provisions of Clause 8 of this Ordinance.

34. The Warden and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

35. The power of depriving the Warden for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him after due inquiry upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Warden and Fellows, and shall be exercised by the vote of the major part of the Warden and all the Fellows, subject only to such appeal to the Visitor as is hereinafter provided; and the Warden and Fellows may deprive any Scholar of his Scholarship for any misconduct which in their judgment shall merit deprivation: Provided, that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

36. Whenever

36. Whenever there shall be no candidate for a vacant Winchester Fellowship, duly qualified in respect of his place of education and otherwise according to the foregoing provisions, and whom the electors shall judge of sufficient merit for election, the election thereto shall be thrown open for that turn, and shall be postponed to some other day, to be fixed by the Warden and Fellows for the purpose, not later than the next ensuing stated day of election to Open Fellowships, and shall be held and conducted in the same manner, and after the same previous notice, as an ordinary election to an Open Fellowship.

37. Whenever there shall be no duly qualified candidate for a vacant Open Fellowship or for a Winchester Fellowship which shall have been thrown open under the foregoing provision, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship shall fall vacant, and there shall not be time to give the notice hereinbefore directed before the day of election, the election shall be postponed to some other day, to be fixed by the Warden and Fellows for the purpose, not later than the next ensuing stated day of election to Open Fellowships; and every such postponed election shall be held and conducted in the same manner and after the same previous notice as if there had been no postponement.

38. The Warden and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Warden and Fellows shall think proper: Provided, that it shall be lawful for the Visitor, upon the petition of the Warden or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if the Visitor shall think fit: Provided also, that the Wardenship shall not be deemed to be an office within the meaning of this clause.

39. The Warden and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service according to the Liturgy of the United Church of England and Ireland, within the College, during full Term, and at such other times as they shall think proper, and for attendance on the

the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Warden and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purpose. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

40. In case the Warden or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by law established, such contumacious ceasing to conform shall be a cause for depriving the Warden of his Wardenship and any such Fellow of his Fellowship.

41. The oaths prescribed by the existing Statutes shall not hereafter be taken; but every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall, at the time of his election or admission, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Bye-laws of the College in force for the time being so far as they may concern him; and the electors to any place or office before electing to which an oath is now required shall, before electing, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

42. There shall be two stated general meetings at least of the Warden and Fellows in every year, on such days as the Warden and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Warden shall be counted as two votes at all College meetings, and in the election, admission, and deprivation of Fellows, and in the deprivation of Scholars, and in elections to open Scholarships. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the Warden and Fellows, or the consent of the Warden, is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present: Provided, that the great seal of the College shall not be affixed to any act or document except in the presence of the Warden or his Vicegerent and a majority of all the Fellows. Whenever the

the votes shall be equal, the Warden shall have an additional casting vote. All the Fellows, without distinction of faculty or standing in the College, shall be entitled to be present and vote at every College meeting. Any statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the Warden and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

43. The power which is given by the existing Statutes to the Sub-Warden to act in place of the Warden, and the power of any officer of the College who may hereafter be authorised by any Statute or Bye-law to act in place of the Warden, shall be deemed to extend to all the acts which the Warden is hereby authorised or directed to do, except the giving consent to any commutation, regulation, or diminution of the Warden's emoluments.

44. All provisions of the existing Statutes regulating or limiting the number of members of the College required or permitted to study or graduate in any particular faculty shall be void.

45. No member of the College who may be charged with any offence shall, by reason of any provision in the existing Statutes, be prohibited or restrained from calling for a copy of the charges made against him, or for the name or names of the person or persons making such charges.

46. The particular provisions of the existing Statutes respecting the subjects of study and instruction within the College, the disputations and other exercises to be performed by its members, and their attendance in the Schools and at the exercises of the University; and respecting the devotions, dress, conversation, recreations, and other personal habits of the members of the College, and the hours and conditions of their going beyond the precincts of the College; and respecting the meals of the members of the College, and the mode of serving and conducting the same; and respecting the loans to be made and other assistance to be given to members of the College on taking degrees and otherwise; and respecting the inquiries to be made into the life and conduct of the members of

of the College, and the mode of making the same; and respecting the punishments for offences not being such as require deprivation; and respecting the treatment and support of Fellows and Scholars in case of sickness or infirmity; and respecting the distribution of the rooms, and the use of the Common Hall and other common rooms or buildings of the College; and respecting the use of the Library; and respecting the times of opening and closing the gates and doors of the College; and respecting the admission of strangers into the precincts of the College; and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same; and respecting progresses and other matters relative to the supervision of the property of the College; and respecting the custody and inspection of the monies, plate, linen, and other goods of the College other than the muniments and seals, shall be henceforth void. The Warden and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions, or any of them, are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby, as is hereinafter provided.

47. The electors to Scholarships in Winchester College shall not, in electing thereto, be bound to observe the regulations contained in the existing Statutes of New College relative to the subjects of examination of candidates for such Scholarships, and the limit of eligibility in respect of age.

48. If in any case it shall appear to the Visitor that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

49. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, once in every ten years (or oftener, if and whenever he shall deem it expedient

dient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit, at other times, to require the Warden and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

50. As often as any question shall arise on which the Warden and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Warden and Fellows, or for the Warden or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

51. It shall be lawful for the Warden, or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Warden and Fellows, and for any Scholar who may have been deprived of his Scholarship, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

52. It shall be lawful for the Visitor, either *proprio motu* or on the complaint of the Warden or of any of the Fellows, to disallow and annul any Bye-law or resolution of the Warden and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

53. The Warden and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, the vote of the Warden being counted as two votes, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

54. Whenever the words "the Fellows," or "the Warden and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows. Fellows not having taken the degree of Bachelor of Arts in some University, or passed all the

the examinations required by the University of Oxford for that degree, shall not, by virtue of this Ordinance, be entitled to any voice or power in amending Statutes or making regulations under this Ordinance, nor to any voice or power in the affairs of the College, or in the affairs of Winchester College, to which undergraduate Fellows are not entitled under the existing Statutes.

55. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

ORDINANCE framed by the Commissioners appointed for the Purposes of the Statute, 17 & 18 Vict. c. 81, in relation to WORCESTER COLLEGE, in the UNIVERSITY OF OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the 17th and 18th years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of St. Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Worcester College, in the said University:—

1. No person being or having been a Fellow of the said College shall be incapable of being appointed Provost thereof by reason of his being or not being, or having been or not having been, a member of any particular foundation therein. The Chancellor of the University shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being) who in his judgment shall be most fit for the government of the College as a place of religion, learning, and education.

2. The Provost shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided, that in cause of the Provost's sickness, or for any other urgent case, it shall be lawful for the Visitors, or the major part of them, to dispense with the Provost's residence for such a period as may

seem to them to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Provost.

3. The Provost and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Provostship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Provost's emoluments, whether commuted or uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Provost without his consent: Provided also, that the Visitors, or the major part of them, upon the petition of the Provost, or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if they shall think fit.

4. If at any time it shall appear that the Provost has become permanently incapable of performing the duties of his office, the Vice-Provost shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitors, setting forth the circumstances of the case, and praying the Visitors to inquire into the truth of them; and the Visitors shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Provost, (as the case may be,) it shall appear to the satisfaction of the Visitors, or the major part of them, that the Provost has become permanently incapable of performing his duties, then the Visitors, or the major part of them, shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-Provost, shall be presented to them, to be Pro-Provost of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the Provost's emoluments as they shall think fit; provided that the Provost shall be at liberty to retain his lodgings. And such Pro-Provost shall, so long as the Provost shall retain his office, and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Provost, except the power of consenting to any commutation, regulation, or diminution of the Provost's emoluments,

emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes and in the same manner. If any Pro-Provost shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitors, or the major part of them, shall appoint a new Pro-Provost in the same manner. It shall be lawful for the Visitors, or the major part of them, if at any time they shall be satisfied that the Provost's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

5. The first and third Fellowships of the foundation of Sir Thomas Cookes, the second Fellowship of the foundation of Mrs. Sarah Eaton, and the fourth Fellowship of the foundation of Dr. George Clarke, which shall become vacant after the approval of this Ordinance by Her Majesty in Council, and to which there shall be no Scholar entitled, by virtue of an interest acquired before the passing of the said Act, to succeed or be elected, shall not be filled up. The emoluments of such four Fellowships shall sink into the divisible corporate revenues of the College, but the Provost and Fellows shall be bound, out of the divisible revenues, to maintain the four Exhibitions next hereinafter mentioned, and also to increase the value of the Scholarships within the College as hereinafter directed. From and after the vacancy of the aforesaid third Fellowship of the foundation of Sir Thomas Cookes, the corporate revenues of the College shall be charged with the maintenance of four Exhibitions, to be called the Exhibitions of Sir Thomas Cookes. Each Exhibition shall be tenable for four years from the day of election inclusive: Provided, that if any Exhibition shall be vacated before the expiration of the said term of four years, the person elected upon such vacancy shall hold the Exhibition for the residue only of the said term. Each Exhibitioner shall receive thirty pounds per annum, and shall be entitled to rooms within the College rent free. Elections to the said Exhibitions shall, as regards the time, place, and manner of holding the same, and the qualifications to be required of the candidates with respect to their place of education, be conducted in all respects as elections to the Scholarships of the foundation of Sir Thomas Cookes. The time at which the first election to each Exhibition shall be held shall be in the discretion of the Provost and Fellows.

6. The Fellowships of the foundation of Dr. James Finney shall, as vacancies occur therein, to which there shall be no person entitled, by virtue of an interest acquired before the

passing of the said Act, to succeed or be elected, and the Scholarships of the same foundation, shall, when vacant, not be filled up. All the emoluments of those Fellowships and Scholarships shall be consolidated and applied to the maintenance of one Scholarship within the College, to be called the Finney Scholarship, to be filled up, so often as it shall become vacant, by the election of a person born in the county of Stafford, if any such be found of sufficient merit, and fit to be a Scholar of the College, in the judgment of the electors. Except as above mentioned, no person shall, in elections to the Finney Scholarship, be ineligible or entitled to preference by reason of the place of his birth. The time at which the first election shall be held to the said Finney Scholarship shall be in the discretion of the Provost and Fellows.

7. The election of Fellows of the College shall be vested in the Provost and such of the Fellows present at the time of election as shall have been admitted to the degree of Master of Arts, or to any superior degree.

8. In elections to Fellowships within the College no person shall be either entitled to preference or ineligible by reason of his place of birth or place of education, or of the condition or place of residence of his parents, or of his age or pecuniary circumstances; or of his being or not being of the name or kindred of any person named in any instrument of foundation; or of his having or not having taken any degree, or of his being or not being, or having been or not having been a Scholar of the College, or of any particular foundation therein: Provided, that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office, which, if acquired after election would have disqualified him for continuing a Fellow: Provided also, that no person shall be eligible to any of the Fellowships of the foundation of Mrs. Sarah Eaton who shall not have certified to the satisfaction of the electors that he is not possessed of any property or income exceeding 150 *l.* per annum, and that he is the son of a clergyman of the United Church of England and Ireland.

9. The election of Fellows shall take place on a stated day in each year, to be appointed by the Provost and Fellows, subject to the provision for postponement hereinafter contained. Thirty days at least before the day of election, notice of every intended election, of the number of vacancies to be filled up, and of the conditions of election, shall be given

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by the Provost, in such manner as he shall deem best adapted to secure publicity.

10. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Provost and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible from time to time to excellence in every branch of knowledge for the time being recognised in the Schools of the University; and the electors shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

11. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled, either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any Government pension, or be admitted to any office tenable for life or during good behaviour, (not being an academical office within the University of Oxford,) and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice, (being a benefice with cure of souls,) clear of deductions (except for property or income tax), shall exceed 300 *l.*, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources, (including or not including a benefice with cure of souls), clear of deductions as aforesaid, shall exceed 400 *l.*, vacate his Fellowship at the expiration of such twelve calendar months; and for this purpose the income which the estimated value of any property would produce if invested in Three Pounds per Centum Consolidated Annuities, at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any estate or interest in possession in any property real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property or any of such sources of income shall have been acquired shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having

become possessed of any property or income, or been instituted to any benefice.

12. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office which would, in ordinary cases, render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(*a.*) Any Professor or Public Lecturer within the University, for whose election a majority of the votes of the Provost and all the Fellows qualified to vote in the election of Fellows shall have been given.

(*b.*) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art on whom the University in Convocation shall have conferred a degree either by diploma or by decree of Convocation, or any honorary degree: Provided, that two-thirds of the votes of the Provost and all the Fellows qualified to vote in the election of Fellows shall have been given for the election of such Principal or other person as last aforesaid.

13. The election in such excepted cases shall always be held more than thirty days before the usual stated day of election, and the electors may, at the time of election, determine the rank which the person elected shall hold in the College, without reference to the date of his election: Provided, that such rank shall confer no other than honorary privileges: Provided also, that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

14. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office which would in ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Provost and all the Fellows qualified to vote in the election of Fellows, or if he shall be Principal of any Hall, (not being a private Hall,) by two-thirds of the votes of the Provost and all the Fellows qualified as aforesaid: Provided, that this power shall be exercised, if at all, at some stated

stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

15. Not more than one Fellowship shall at any one time be held by Professors or Public Lecturers under the powers conferred by Clauses 12 and 14 of this Ordinance, if and so long as the whole number of Fellowships within the College, exclusive of suspended Fellowships, shall not exceed twelve.

16. Every Professor, Public Lecturer, or Principal of a Hall, elected to or retained in a Fellowship by virtue of either of the foregoing clauses, numbered 12 and 14, shall, upon ceasing to hold such Professorship, Public Lecturership, or Principalship, vacate his Fellowship.

17. It shall be lawful for the Provost and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Provost and Fellows shall, by resolution, from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Provost and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

18. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

19. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University, contained in the existing Statutes, shall be henceforth void. The Provost and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and, in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Provost

and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the members of the College.

20. One-third of the whole number of Fellowships may at all times be held by persons not having taken and not liable to be required to take Holy Orders. Such Fellowships shall be termed "Lay Fellowships." The option of holding a Lay Fellowship shall be given to the Fellows not in Holy Orders successively, according to seniority from the date of election. The power vested in the Provost and four of the six senior Fellows of granting an exemption from the obligation to take Holy Orders in the case of the Library Keeper shall not hereafter be exercised. No Fellow not being in Holy Orders shall be required, as a condition of retaining his Fellowship, to study or graduate in Theology.

21. No Fellow shall be disqualified for retaining his Fellowship by reason only of his having held it for any period of time mentioned in the Statutes or in any instrument of foundation.

22. The number of Fellowships within the College (exclusive of suppressed Fellowships) shall never be less than fifteen, unless the Visitors, or the major part of them, shall think fit, on a petition in writing presented and subscribed by the Provost, and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Provost and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

23. The Provost and Fellows shall, once at least in every ten years, lay before the Visitors a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitors such additional information (if any) as they shall require for enabling them to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitors, or the major part of them, thereupon, if it shall appear to them that the revenues of the College are sufficient

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to afford to each Fellow an average income of more than 300*l.* a year, (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances,) to direct either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Provost and Fellows, with the approbation of the Visitors, or the major part of them, shall determine.

24. In elections to Scholarships within the College (other than the Finney Scholarship) no person shall be either entitled to preference or ineligible by reason of his place of birth, or of his being or not being of the kindred of any person named in the Statutes or in any instrument of foundation. In elections to Scholarships of the foundation of Sir Thomas Cookes no person shall be entitled to preference by reason of his being one of the eleemosynary or foundation Scholars in any school designated in the Statutes, or by reason of his having been educated at any school other than the schools individually named in the existing Statutes.

25. The Scholars of the foundation of Sir Thomas Cookes shall be elected by Examiners, to be chosen annually by the Provost and such of the Fellows then present as shall have been admitted to the degree of Master of Arts, or to any superior degree: Provided, that the Provost shall always be one of such Examiners, if he shall think fit. The expenses of the said Examiners shall be defrayed out of the corporate revenues of the College.

26. The Scholars of the foundations of Mrs. Sarah Eaton and Dr. George Clarke and the Finney Scholar shall be elected by the Provost and such of the Fellows present at the time of election as shall have been admitted to the degree of Master of Arts, or to any superior degree, after an examination of the candidates in such subjects, and conducted in such manner, as the electors shall determine; and that candidate (being otherwise duly qualified according to the Statutes in force for the time being and the respective instruments of foundation) shall be elected who, after such examination, shall appear to the electors to be of the greatest merit, and most fit to be a Scholar of the College.

27. The election of Scholars shall take place on a stated day or stated days in each year, to be appointed by the Provost and Fellows (subject to the provisions for postponement hereinafter contained); and notice of every intended election

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to Scholarships, (other than Scholarships of the foundation of Sir Thomas Cookes,) of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Provost, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

28. The Scholarships of the foundation of Sir Thomas Cookes shall be tenable for six years from the day of election inclusive, and no longer: Provided, that if any such Scholarship shall be vacated before the expiration of the said term of six years, the person elected upon such vacancy shall hold the Scholarship for the residue only of the said term.

29. Every Scholarship within the College (other than the Scholarships of the foundation of Sir Thomas Cookes) shall be tenable until the holder thereof shall have completed the twenty-fourth Term from that of his matriculation inclusive, and no longer: Provided, that it shall be lawful for the Provost and Fellows to terminate any Scholar's tenure of his Scholarship at the end of eighteen Terms from his matriculation inclusive, by resolution at the stated general meeting next preceding the expiration of the said eighteen Terms.

30. The emoluments of every Scholarship within the College, other than the Finney Scholarships, shall, as rapidly as the means accruing from the suppression of the said four Fellowships will admit, be augmented to a sum not less than 50 *l.* per annum, and the Scholars shall also be entitled to rooms within the College rent free.

31. Every Scholar who shall be elected to a Fellowship of the College, or to a Fellowship in any other College within the University, shall thereupon vacate his Scholarship.

32. The Provost and Fellows may deprive any Scholar of his Scholarship for any misconduct which in their judgment shall merit deprivation.

33. In elections to Exhibitions of the foundation of Dr. Thomas Kay, no person shall be entitled to preference by reason of his place of birth, otherwise than by reason of his being a native of the county of York. Exhibitioners of the foundations of Dame Elizabeth Holford and Dr. Thomas Kay shall be elected by the persons in whom the election of Scholars of the College (other than Scholars of the foundation of Sir Thomas Cookes) is hereby vested. The Exhibitions of the foundation of Dr. Thomas Kay shall be tenable for the same period as the Scholarships of the College, (other than the Scholarships of the foundation of Sir Thomas Cookes,) and no longer, and shall be determinable in the same manner, and notice of every intended election to the said Exhibitions shall

shall be given in the manner hereinbefore directed respecting Scholarships of the College.

34. Candidates for the Exhibitions of the foundation of Dame Elizabeth Holford and Dr. Thomas Kay shall be examined in such subjects and in such manner as the electors shall appoint, and that candidate (being otherwise duly qualified according to the instruments of foundation of those Exhibitions respectively) shall be elected who shall appear to the electors to be of the greatest merit.

35. Every Exhibitioner shall be subject to such regulations respecting residence, attendance on Divine Worship, instruction, and discipline, as the Provost and Fellows shall from time to time determine, and may be deprived of his Exhibition for any misconduct which, in the judgment of the Provost and Fellows, may merit deprivation.

36. The Provost and Fellows may, if they shall think fit, commute the stipend and allowances now payable by Statute or custom to any Fellow of the College, or any part thereof, for an aliquot share of the corporate revenues of the College. It shall be lawful for the Visitors, or the major part of them, upon the petition of any person who shall be a Fellow at the time of such commutation being determined on, and shall conceive himself aggrieved thereby, to disallow such commutation, if they shall think fit.

37. The Provost and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves, or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

38. The power of depriving the Provost for such causes as according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Visitors, or the major part of them, and shall be exercised by them, after due inquiry, upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as, according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Provost and Fellows, and shall be exercised by the vote of the major part of the Provost and all the Fellows, subject only to such appeal to the Visitors as is hereinafter provided: Provided, that this clause shall not affect the Visitors' power (if any) of depriving by their own authority any member of the College.

39. Whenever

39. Whenever there shall be no candidate for a Fellowship or Scholarship of the foundation of Mrs. Sarah Eaton, for a Scholarship or Exhibition of the foundation of Sir Thomas Cookes, for a Finney Scholarship, or for an Exhibition of the foundation of Dame Elizabeth Holford or Dr. Thomas Kay, possessing the qualifications required in each case, and whom the electors shall judge of sufficient merit for election, the election shall be thrown open for that turn, and shall be postponed to some other day, to be fixed by the Provost and Fellows for that purpose, not later than the next ensuing stated day of election in the case of a Fellowship of Fellows of the College, and in the case of a Scholarship or Exhibition of Scholars other than Scholars of the foundation of Sir Thomas Cookes.

40. Whenever there shall be no duly qualified candidate for a vacant Fellowship of the foundation of Sir Thomas Cookes, or of Dr. George Clarke, or for a vacant Scholarship of the foundation of Dr. George Clarke, or for any Fellowship, Scholarship, or Exhibition which shall have been thrown open as aforesaid, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice hereinbefore directed before the day of election, the election shall be postponed to some other day, to be fixed by the Provost and Fellows for the purpose, not later than the next ensuing stated day of election in the case of a Fellowship of Fellows of the College, and in the case of a Scholarship or Exhibition of Scholars other than Scholars of the foundation of Sir Thomas Cookes; and every such postponed election shall be held and conducted in the same manner and after the same previous notice as if there had been no postponement.

41. The Provost and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members; and may assign to such new offices such stipends or emoluments as the Provost and Fellows shall think proper: Provided, that it shall be lawful for the Visitors, or the major part of them, upon the petition of the Provost or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments mayhave been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if the Visitors shall think fit:

Provided

Provided also, that the Provostship shall not be deemed to be an office within the meaning of this clause.

42. The Provost and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitors, or the major part of them, shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Provost and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

43. The oaths prescribed by the existing Statutes shall not hereafter be taken; but every person admitted to any place, on admission to which an oath is now required, shall, at the time of his admission, take an oath or make a declaration, as the Provost and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place, and obey the Statutes and Bye-laws of the College in force for the time being, so far as they may concern him.

44. There shall be two stated general meetings at least of the Provost and Fellows in every year, on such days as the Provost and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Provost shall be counted as one vote in all elections and College meetings, and in the deprivation of Fellows, Scholars, and Exhibitioners. Whenever the votes shall be equal at any College meeting, or in any election or deprivation, the Provost shall have an additional casting vote. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the Provost and Fellows, or the consent of the Provost, is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present. Every Fellow of the College shall be entitled to be present and vote at every College meeting. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put

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to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the Provost and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

45. The power which is given by the existing Statutes to the Vice-Provost to act in place of the Provost, and the power of any officer of the College who may hereafter be authorised by any Statute or Bye-law to act in place of the Provost, shall be deemed to extend to all the acts which the Provost is hereby authorised or directed to do, except the giving consent to any commutation, regulation, or diminution of the Provost's emoluments.

46. The particular provisions of the existing Statutes respecting the disputations and other exercises to be performed by the members of the College; and respecting their meals; and respecting the punishments for offences not being such as require deprivation; and respecting the times of opening and closing the gates of the College; and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same; and respecting progresses and other matters relative to the supervision of the property of the College; and respecting the custody of the monies, plate, and other goods of the College, other than the muniments and seal, shall be henceforth void. The Provost and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect, and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitors on the part of any person who may deem himself aggrieved thereby as is hereinafter provided.

47. If in any case it shall appear to the Visitors, or the major part of them, that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitors, or the major part of them, from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as they shall think fit, and the

the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

48. It shall be lawful for the Visitors, once in every ten years, (or oftener, if and whenever they shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so,) without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitors at any such visitation, or, if they shall think fit, at other times, to require the Provost and Fellows to answer in writing touching any matter as to which the Visitors may deem it expedient to inquire, for the purpose of satisfying themselves whether the Statutes in force for the time being are duly observed.

49. As often as any question shall arise on which the Provost and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College in force for the time being, it shall be lawful for the Provost and Fellows, or for the Provost or any three of the Fellows, to submit the same to the Visitors; and it shall be lawful for the Visitors, or the major part of them, to declare what is the true construction of such Statute or Statutes with reference to the case submitted to them.

50. It shall be lawful for the Provost, or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Provost and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act, or decision, or sentence, to the Visitors; and it shall be lawful for the Visitors, or the major part of them, to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as they shall deem just.

51. It shall be lawful for the Visitors, or the major part of them, either *proprio motu* or on the complaint of the Provost or of any of the Fellows, to disallow and annul any Bye-law or resolution of the Provost and Fellows which shall, in the judgment of the Visitors, or the major part of them, be repugnant to any of the Statutes of the College in force for the time being.

52. The Provost and Fellows, by a majority, consisting of not less than two-thirds of the votes of those present, may from time to time, at any stated general meeting, subject to the

the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitors.

53. The Fellows of the foundation of Dr. James Finney shall not, in the construction of this Ordinance, be counted amongst the Fellows of the College, nor the Fellowships of that foundation among the Fellowships of the College.

54. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the Statute 17 & 18 Vict. c. 81, in relation to BALLIOL COLLEGE, in the UNIVERSITY of OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the 17th and 18th years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Balliol College, in the said University:—

1. In elections to the office of Master of the said College no person shall be entitled to preference by reason of his being or having been a Fellow of the College. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being) who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education.

2. The Master shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each term, Easter and Trinity Terms being for this purpose considered as one term: Provided, that in case of the Master's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the Master's residence

residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Master.

3. The Master and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Mastership, including therein the portion of the Rectory of Huntspill, in the county of Somerset, annexed to the office of Master, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues, and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Master's emoluments, whether commuted or uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Master without his consent: Provided also, that the Visitor, upon the petition of the Master, or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

4. If at any time it shall appear that the Master has become permanently incapable of performing the duties of his office, the Senior Fellow in residence shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Master, (as the case may be,) it shall appear to the satisfaction of the Visitor that the Master has become permanently incapable of performing his duties, then the Visitor shall nominate one of the three Senior Fellows for the time being in Holy Orders to be Vice-Master of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the Master's emoluments as the Visitor shall think fit; provided that the Master shall be at liberty to retain his lodgings. And such Vice-Master shall, so long as the Master shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Master, except the power of consenting to any

commutation, regulation, or diminution of the Master's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes and in the same manner. If any Vice-Master shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint forthwith one of the three Senior Fellows for the time being in Holy Orders (exclusive of the Vice-Master resigning or becoming incapable) to be Vice-Master in his room. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Master's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments. These provisions shall take effect in lieu of the provisions of the existing Statutes relating to the incapacity of the Master.

5. In elections to Fellowships within the College no person shall be either entitled to preference or ineligible by reason of his place of education or pecuniary circumstances, or of his being or not being a Scholar of the College, or a Scholar of any particular foundation therein, or of his having or not having taken the degree of Bachelor or Master of Arts in the University of Oxford; and no person shall be ineligible by reason of his being of illegitimate birth: Provided, that no person shall be eligible who shall not have taken the degree of Bachelor of Arts in some University in Great Britain or Ireland, or passed all the examinations required by the University of Oxford for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office, which, if acquired after election, would have disqualified him for continuing a Fellow.

6. Sixty days at least before the day of election to a Fellowship, notice of every intended election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Master in such manner as he shall deem best adapted to secure publicity.

7. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Master and Fellows shall determine: Provided that the system of examinations shall be such as shall render Fellowships accessible from time to time to excellence in every branch of knowledge for the time being recognised in the Schools of the University; and the Master and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall

shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

8. Every person elected to a Fellowship shall be entitled to receive, during the year of probation, the same emoluments as if he had been admitted an actual Fellow.

9. The rank, privileges, and advantages which every person hereafter to be elected to a Fellowship shall hold and enjoy in the College shall (except so far as is otherwise hereinafter provided) be determined according to the date of his admission to such Fellowship.

10. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled, either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any Government pension, or be admitted to any office tenable for life or during good behaviour, (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice, (being a benefice with cure of souls,) clear of deductions, (except for property or income-tax,) shall exceed 300 *l.*, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources, (including or not including a benefice with cure of souls,) clear of deductions as aforesaid, shall exceed 500 *l.*, vacate his Fellowship at the expiration of such twelve calendar months, and for this purpose the income which the estimated value of any property would produce if invested in Three pounds per Centum Consolidated Annuities, at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any estate or interest in possession in any property, real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property, or any of such sources of income, shall have been acquired, shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice. No Fellow shall be so disqualified by reason of his having become possessed of any

benefice, property, pension, or office, so long as he shall continue to reside in the University, and to hold the office of Dean, Tutor, Lecturer, or Senior Bursar, within the College.

11. Every Fellow who shall marry shall thereupon vacate his Fellowship.

12. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office which would in ordinary cases render the possessor incligible, and although they may not have taken the degree of Bachelor of Arts in any University, or passed the examinations required by the University of Oxford for that degree, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(*a.*) Any Professor or Public Lecturer within the University of Oxford for whose election a majority of the votes of the Master and all the Fellows shall have been given; the Master's vote being counted as two votes.

(*b.*) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art on whom the University in Convocation shall have conferred a degree, either by diploma or by decree of Convocation, or any honorary degree, provided that two-thirds of the votes of the Master and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid; the Master's vote being counted as two votes.

13. The election in such excepted cases shall always be held more than sixty days before the usual day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election: Provided, that such rank shall confer no other than honorary privileges: Provided also, that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

14. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office which would in ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the

the votes of the Master and all the Fellows, or if he shall be Principal of any Hall, (not being a private Hall,) by two-thirds of the votes of the Master and all the Fellows, the Master's vote being in each case counted as two votes: Provided, that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

15. Any Fellow elected under Clause 12, or retained under Clause 14, shall (except in the case hereinafter mentioned) be deemed entitled thereafter to hold his Fellowship, although he may afterwards marry, or become possessed of any property, pension, or office, or of any benefice (not being a benefice in the gift of the College, the possession of which would in ordinary cases be incompatible with the retention of a Fellowship).

16. Not more than one Fellowship shall at any one time be held under the powers conferred by Clauses 12 and 14 of this Ordinance, if and so long as the whole number of Fellowships within the College, exclusive of suspended Fellowships, shall not exceed twelve.

17. Any person elected under Clause 12, or retained under Clause 14, and being a Professor or Public Lecturer within the University, who at the time of his election or retention shall hold a benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and no person elected or retained under either of the said Clauses shall by virtue thereof be enabled to hold with his Fellowship any benefice in the gift of the College, the possession of which would, in ordinary cases, be incompatible with the retention of a Fellowship. Every Professor, Public Lecturer, or Principal of a Hall, elected or retained under either of the said Clauses, who shall cease to hold such Professorship, Public Lecturership, or Principalship, and every Professor or Public Lecturer, elected or retained as aforesaid, who shall be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship.

18. It shall be lawful for the Master and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed "Honorary Fellows," and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Master and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Master and Fellows

from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

19. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

20. No Fellow hereafter to be elected (except any Scholar of the foundation of Mr. Peter Blundell who may be elected a Fellow by virtue of an interest acquired before the passing of the said Act) shall vacate his Fellowship by reason only of his having held the same for any period of time mentioned in any instrument of foundation.

21. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University contained in the existing Statutes, shall be henceforth void. The Master and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and, in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Master and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the members of the College.

22. The number of Fellowships within the College shall never be less than eleven, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Master, and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Master and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly

directly expedient for the interests of the College as a place of religion, learning, and education.

23. The Master and Fellows shall once at least in every ten years lay before the Visitor of the College a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement, (as the case may be,) and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than 300 *l.* a year, (exclusive of rooms, or any allowance in respect thereof, but inclusive of all other allowances,) to direct either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Master and Fellows, with the approbation of the Visitor, shall determine. The power given by the existing Statutes to the Visitor, the Master, and three Senior Fellows, to determine that the number of Fellowships shall be increased or diminished, shall not hereafter be exercised.

24. The two Scholarships of the foundation of Mr. Peter Blundell within the College, when vacant, and the first Fellowship of the said foundation becoming vacant after this Ordinance shall have been approved by Her Majesty in Council, or being vacant at the time of such approval, to which there shall be no Scholar of the same foundation entitled by virtue of an interest acquired before the passing of the said Act to succeed or be elected, shall not be filled up. In lieu of the said Fellowship, and of the said two Scholarships, the corporate revenues of the College shall be charged with the maintenance of five Scholarships within the College, to be called "Blundell Scholarships," to each of which an annual stipend of not less than 60 *l.* shall be attached, payable out of such corporate revenues *pari passu* with the stipends of the other Scholarships of the College.

25. The said five Scholarships shall be respectively tenable for five years, and no longer; and any Scholar who shall marry, or be elected to a Fellowship within the College, or

shall cease to be a member of the College, shall thereupon vacate his Scholarship.

26. This Ordinance shall take effect without prejudice to the rights of the Scholars or Scholar of the said foundation, who shall be such at the time of the approval thereof by Her Majesty in Council, to receive, in respect of their or his Scholarships or Scholarship, the same emoluments, and during the same periods or period, as if this Ordinance had not been made.

27. The first election shall be held to each of the said five Scholarships as soon as the occurrence of vacancies in the said Fellowship and the said two existing Scholarships shall render it practicable to do so without imposing upon the corporate revenues of the College a greater charge than the same would have been liable to for the time being, in respect of the said Fellowship and two Scholarships, if this Ordinance had not been made. The Master and Fellows shall not be bound to fill up more than one Blundell Scholarship in any one year.

28. The elections to the said five Scholarships shall be held at Mr. Peter Blundell's School, at Tiverton, in the county of Devon, on such day in each year between the 15th and 29th days of June, both inclusive, as the Master and Fellows shall appoint, after a competitive examination of the candidates in subjects connected with the studies of the said School. Such examination shall be conducted by three Examiners, one to be appointed by the Master and Fellows, another (not being a Master of Tiverton School) by the Feoffees of Mr. Blundell's estate, and the third by the Master and Fellows of Sidney Sussex College, in the University of Cambridge, or, in default of appointment by them, by the Master and Fellows of Balliol College. The expenses of the Examiner or Examiners to be appointed by Balliol College shall be defrayed out of the corporate revenues of the College. The Examiners shall elect that candidate (being a Scholar of the said School educated therein for the three years immediately preceding the election) who after such examination shall appear to them to be of the greatest merit, and most fit to be a Scholar of the College. The Examiners shall immediately after each election notify to the Head Master of the School the subjects of examination for the ensuing year. Notice of the day appointed for the election shall be given not less than 30 days previously by the Master of the College to the Head Master of the School.

29. No person shall be admitted to be a candidate who shall have attained the age of 19 years, or whom the said Feoffees for

for the time being shall not deem proper to be a candidate, having regard to his moral character and pecuniary circumstances.

30. Whenever there shall be no duly qualified candidate whom the Examiners shall judge of sufficient merit for election, the vacant Scholarship shall be thrown open for that turn to general competition, and the election shall be postponed to the next ensuing day of election to the Scholarships of the College, (other than Blundell Scholarships,) and shall be conducted in all respects as if such Scholarship had been one of those Scholarships.

31. The holders of the said five Scholarships shall be liable to deprivation by the same authority, for the same causes, and in the same manner as the other Scholars of the College, and shall be subject to such regulations, as to their instruction, discipline, and attendance on Divine Worship, as the Master and Fellows may from time to time prescribe.

32. The election of Exhibitioners of the foundation of John Newte, Clerk, shall be held after a competitive examination of the candidates in such subjects connected with the studies of the said Mr. Peter Blundell's School as the electors shall from time to time determine. The electors shall elect that candidate (being a Scholar of the said School educated therein for the two years immediately preceding the election) who after such examination shall appear to them to be of the greatest merit.

33. The four Exhibitions of the foundation of John Warner, Bishop of Rochester, shall be consolidated into two Exhibitions, the holders of which shall receive by equal shares the whole emoluments now payable to the four Exhibitioners. The election of Exhibitioners of the said foundation shall be held after a competitive examination of the candidates in such subjects and conducted in such manner as the electors shall from time to time appoint, and that candidate, being otherwise duly qualified according to the instrument of foundation, shall be elected who after such examination shall appear to be of the greatest merit.

34. In elections to the Exhibitions of the foundation of Richard Greaves, Clerk, no person shall be entitled to preference on account of his having been educated at any School other than the Free School of Ludlow, in the county of Salop, and no person shall be entitled to preference on account of his having been educated at the said Free School of Ludlow unless he shall have been educated therein for the two years immediately preceding the election. Whenever there shall be no duly qualified candidate for a vacant Exhibition of this foundation whom

whom the electors shall judge of sufficient merit for election, the Exhibition shall for that turn be thrown open to general competition, and the election to it shall be held at some time within three months from the day originally fixed for that purpose, from which day the five years shall in that case be computed.

35. The Exhibitions of the foundations of John Newte, John Warner, and Richard Greaves, shall be tenable for five years, and no longer. The holders of the same shall be liable to deprivation by the same authority, for the same causes, and in the same manner as the Scholars of the College, and shall be subject to such regulations, as to their instruction, discipline, and attendance on Divine Worship, as the Master and Fellows may from time to time prescribe.

36. The Master and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

37. The power of depriving the Master for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him, after due inquiry, upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as, according to such Statutes, shall require deprivation, shall be vested in the Master and Fellows, and shall be exercised by the vote of the major part of the Master and all the Fellows, subject only to such appeal to the Visitor as is hereinafter provided: Provided, that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

38. Whenever there shall be no duly qualified candidate for a vacant Fellowship or Scholarship whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant and there shall not be time to give the notice hereinbefore directed before the day of election, the election shall be postponed to the usual day of election in the case of a Fellowship of Fellows, and in the case of a Scholarship of Scholars, in the ensuing year; and every such postponed election shall be held and conducted in the same manner and after the same previous notice as if there had been no postponement.

39. The Master and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers

officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College, and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Master and Fellows shall think proper: Provided, that it shall be lawful for the Visitor, upon the petition of the Master or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also, that the Mastership and the Catechetical Lectureship shall not be deemed offices within the meaning of this clause.

40. The Master and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the appointment and payment of Chaplains, and for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Master and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service and Chaplain Fellows shall be henceforth void.

41. In case the Master or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by law established, such contumacious ceasing to conform shall be a cause for depriving the Master of his Mastership and any such Fellow of his Fellowship.

42. The oaths prescribed by the existing Statutes to be taken before electing to the office of Master, and on admission to the same, shall not hereafter be taken; but every person elected to the office of Master shall take an oath at the time of his admission, to the effect that he will faithfully perform the duties of the office, and obey the Statutes and Bye-laws of the College in force for the time being, so far as they may concern him; and the electors to the office of Master shall, before electing, take an oath to the effect that they will elect the person best qualified in their judgment for the same.

43. There

43. There shall be two stated general meetings at least of the Master and Fellows in every year, on such days as the Master and Fellows shall appoint. Any stated general meeting may be adjourned, by resolution of the meeting, to a day to be specified in the resolution. The vote of the Master shall be counted as two votes at all College meetings, and in the election, admission, and deprivation of Fellows, and in the election and deprivation of Scholars and Exhibitioners. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the Master and Fellows, or the consent of the Master, is hereby made requisite, every question arising at any College meeting shall be decided by a majority of the votes of those present. Whenever the votes shall be equal, the vote of the Junior Fellow present shall not be counted. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the Master and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

44. The power which is given by the existing Statutes to the Vicegerent to act in place of the Master, and the power of any officer of the College who may hereafter be authorised by any Statute or Bye-law to act in place of the Master, shall be deemed to extend to all the acts which the Master is hereby authorised or directed to do, except the giving consent to any commutation, regulation, or diminution of the Master's emoluments.

45. The particular provisions of the existing Statutes respecting the subjects of study within the College, the disputations and other exercises to be performed by its members, and their attendance in the Schools and at the exercises of the University; and respecting the dress, conversation, and other personal habits of the members of the College; and respecting the conditions of their going beyond the precincts of the College; and respecting the mode of conducting the meals of the members of the College; and respecting the assistance to be given to members of the College on taking degrees and otherwise; and respecting the punishments for offences not being

being such as require deprivation; and respecting the distribution of the rooms of the College; and respecting the use of the library; and respecting the times of opening and closing the gates and doors of the College; and respecting the admission of Students, not being Fellows or Scholars, into the College; and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same, shall be henceforth void. The Master and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions, or any of them, are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor, on the part of any person who may deem himself aggrieved thereby, as is hereinafter provided.

46. If in any case it shall appear to the Visitor that by reason of any change in the value of Money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

47. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, once in every ten years, (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so,) without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of general Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or if he shall think fit at other times, to require the Master and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

48. As often as any question shall arise on which the Master

Master and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Master and Fellows, or for the Master or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him. The authority to interpret the Statutes given by the existing Statutes of the College to the Visitor, the Master, and two Senior Fellows, shall not hereafter be exercised.

49. It shall be lawful for the Master, or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Master and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

50. It shall be lawful for the Visitor, either *proprio motu*, or on the complaint of the Master or any of the Fellows, to disallow and annul any Bye-law or resolution of the Master and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

51. The Master and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, the vote of the Master being counted as two votes, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

52. Whenever the words "the Fellows," or "the Master and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows, and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

53. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our common seal, this 28th day of March, 1857.

L. S.

ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the Statute 17 and 18 Vict. c. 81, in relation to ORIEL COLLEGE, in the UNIVERSITY OF OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the 17th and 18th years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Oriel College, in the said University:—

1. No person shall be incapable of being elected Provost of the said College by reason of his not being or not having been a Fellow of the College. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being) who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education. The election of a Provost may on every vacancy be held at any time not less than twenty days nor more than three months after the vacancy shall have become known. That person for whom the greatest number of the electors present shall have voted shall be deemed elected. In case of an equality of votes, the Dean, or, in his absence, the Senior Fellow present, shall have a casting vote.

2. The Provost and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Provostship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues, and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Provost's emoluments, whether commuted or uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Provost without his consent: Provided also, that the Lord Chancellor, upon the petition of the Provost, or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

3. If at any time it shall appear that the Provost has become permanently incapable of performing the duties of his office, the Dean shall, upon the request of any three or more Fellows, convene

convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Lord Chancellor, setting forth the circumstances of the case, and praying him to inquire into the truth of them; and if upon such inquiry, or upon a petition presented by the Provost, (as the case may be,) it shall appear to the satisfaction of the Lord Chancellor that the Provost has become permanently incapable of performing his duties, then it shall be lawful for the Lord Chancellor to nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Dean, shall be presented to him, to be Vice-Provost of the College, and to assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the Provost's emoluments as the Lord Chancellor shall think fit; provided that the Provost shall be at liberty to retain his lodgings. And such Vice-Provost shall, so long as the Provost shall retain his office, and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties and have all the powers and authorities of Provost, except the power of consenting to any commutation, regulation, or diminution of the Provost's emoluments, and shall be liable to deprivation for the same causes and in the same manner. If any Vice-Provost shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, it shall be lawful for the Lord Chancellor to appoint a new Vice-Provost in the same manner. It shall be lawful for the Lord Chancellor, if at any time he shall be satisfied that the Provost's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

4. In elections to Fellowships within the College no person shall be either entitled to preference or ineligible by reason of his place of birth, or by reason of any statute or rule limiting the number of Fellowships tenable at any one time by natives of the same town, city, county, diocese, or other place, or by reason of his pecuniary circumstances; and no person shall be ineligible by reason of his being in Holy Orders, or of his not having determined: Provided, that no person shall be eligible who shall not have taken the degree of Bachelor of Arts in some University in Great Britain or Ireland, or who shall have attained the age of twenty-six years, or who shall be in possession

session of any benefice, property, pension, or office, which, if acquired after election, would have disqualified him for continuing a Fellow.

5. Thirty days at least before the day of election to a Fellowship, notice of every intended election, of the number of the vacancies to be filled up, and of the conditions of election, shall be given by the Provost in such manner as he shall deem best adapted to secure publicity.

6. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University of Oxford as the Provost and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible from time to time to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the Provost and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College, as a place of religion, learning, and education.

7. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled, either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls), clear of deductions (except for property or income tax), shall exceed 300 *l.*, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources (including or not including a benefice with cure of souls), clear of deductions as aforesaid, shall exceed twice the annual value of a Fellowship on an average of the seven years then last past, vacate his Fellowship at the expiration of such twelve calendar months, and for this purpose the income which the estimated value of any property would produce, if invested in Three Pounds per centum Consolidated Annuities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The

word "property" shall in this clause include any estate or interest in possession in any property, real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property, or any of such sources of income shall have been acquired, shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

8. Every Fellow who shall marry shall vacate his Fellowship at the expiration of twelve calendar months from the day of his marriage.

9. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and although they may have attained or exceeded the age of twenty-six years, and although the persons elected be married, and although they be in possession of any benefice, property, pension or office which would in ordinary cases render the possessor ineligible, and although they may not have taken the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(*a.*) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the Provost and all the Fellows shall have been given.

(*b.*) Any Principal of a Hall within the University, not being a Private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree either by diploma, or by decree of Convocation, or any honorary degree, provided that two-thirds of the votes of the Provost and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid.

10. The election in such excepted cases shall always be held more than thirty days before the usual day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election; provided that such rank shall confer no other than honorary privileges; provided also that no married Fellow shall be entitled to

rooms

rooms in the College, nor to any allowance in respect of rooms.

11. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office, which would in ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Provost and all the Fellows, or, if he shall be Principal of any Hall (not being a Private Hall), by two-thirds of the votes of the Provost and all the Fellows: provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

12. Any Fellow elected under Clause 9, or retained under Clause 11, shall (except in the case herein-after mentioned) be deemed entitled to hold his Fellowship, although he may afterwards marry or become possessed of any property, pension, or office, or of any benefice (not being a benefice in the gift of the College, the possession of which would in ordinary cases be incompatible with the retention of a Fellowship).

13. Any person elected under Clause 9, or retained under Clause 11, and being a Professor or Public Lecturer within the University, who at the time of his election or retention shall hold a benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and no person elected or retained under either of the said Clauses shall by virtue thereof be enabled to hold with his Fellowship any benefice in the gift of the College, the possession of which would in ordinary cases be incompatible with the retention of a Fellowship. Every Professor, Public Lecturer, or Principal of a Hall, elected or retained under either of the said Clauses, who shall cease to hold such Professorship, Public Lecturership, or Principalship, and every Professor or Public Lecturer elected or retained as aforesaid, who shall be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship.

14. It shall be lawful for the Provost and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Provost and Fellows shall, by resolution, from time to time determine. The conditions of eligi-

bility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Provost and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

15. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University, shall thereupon vacate his Fellowship.

16. The provisions respecting the residence of Fellows, and the mode of granting leave of absence from the University, contained in the existing Statutes shall be henceforth void. The Provost and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows within the University, and respecting the mode in which, and the conditions under which, leave of absence may be granted to any Fellow, as they may deem expedient for the interests of the College as a place of learning and education; and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Provost and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes which shall be binding on the members of the College.

17. Every Fellow shall be required to take either the degree of Master of Arts, or the degrees of Bachelor and Doctor of Civil Law, or those of Bachelor and Doctor of Medicine, within one year after the time at which he shall be of sufficient standing to take those degrees respectively by the Statutes of the University, and in case of non-compliance shall vacate his Fellowship: Provided that the Provost and Fellows may, whenever they shall deem it just or expedient to do so, allow the taking of any such degree to be postponed for a period not exceeding, except in case of unsoundness of mind, one additional year. Subject to this provision, no Fellow not being in Holy Orders shall by reason of anything in the existing Statutes be required as a condition of retaining his Fellowship to study or graduate in any particular faculty, and no Fellow being in Holy Orders shall be required to study or graduate in any faculty other than Theology.

18. No present or future Fellow shall be bound, as a condition

dition of retaining his Fellowship, to enter into Holy Orders. But, if at the time of holding an election to a Fellowship there shall not be five Fellows in Holy Orders, no person shall be eligible to such vacant Fellowship who shall not then be a priest or deacon of the United Church of England and Ireland. A person, being such priest or deacon, may in that case be elected, notwithstanding his having attained or exceeded the age of twenty-six years.

19. No Fellow shall be disqualified for retaining his Fellowship by reason of permanent or incurable sickness or infirmity.

20. The election to the first Fellowship which shall become vacant after this Ordinance shall have been approved by Her Majesty in Council shall be suspended for a period not exceeding ten years from the time at which it would, but for such suspension, have taken place; and the emoluments of such Fellowship, during the suspension, shall be applied, in such manner as the Provost and Fellows shall determine, in maintaining, augmenting, or establishing Scholarships within the College.

21. The third Fellowship which shall become vacant after the approval aforesaid shall not be filled up, and the emoluments thereof shall be paid to the Regius Professor of Modern History for the time being, provided he shall reside within the University for six months between the First day of October in every year and the First day of the next ensuing July. Any Professor failing to reside during that period shall forfeit one year's payment of the said emoluments, unless leave of absence shall have been granted to him on account of sickness or for any other very urgent cause by or by authority of the University. It shall be lawful for the Provost and Fellows, at any time within five years after the time at which the said Fellowship would, but for this Clause, have been filled up, to commute the emoluments of the same for a fixed annual sum of 250 *l.*, payable out of the corporate revenues of the College. The Provost and Fellows may at any time, if they shall think fit, restore the said Fellowship without prejudice to the annual payment of the sum of 250 *l.* to the purposes above-mentioned. The Provost and Fellows may, if they shall think proper, elect the Professor to be a Fellow of the College without notice, examination, or probation; and although married, and although he may have attained or exceeded the age of twenty-six years, and although he may be in possession of any benefice, property, pension, or office which would, in ordinary cases, render the possessor ineligible, and although he may not have taken

the degree of Bachelor of Arts, provided he be otherwise qualified for election, and be not a Fellow of any other College within the University; but any Professor so elected a Fellow shall not be entitled in right of his Fellowship to any emoluments besides those herein-before made payable to him, nor, if married, to rooms within the College or any allowance in respect of rooms, and if he shall cease to hold the Professorship shall vacate his Fellowship.

22. The election to the fifth Fellowship which shall become vacant after the approval of this Ordinance, shall be suspended for so long a period as may seem necessary to the Provost and Fellows, and the emoluments of such Fellowship during the suspension shall be applied in such manner as the Provost and Fellows shall determine in establishing and maintaining Exhibitions within the College. From and after the vacancy of the said fifth Fellowship, four Exhibitions shall be maintained within the College, to be called the Exhibitions of Adam de Brome, and to be filled up by the election of deserving persons whom the electors shall have ascertained to be in need of support at the University. Each Exhibitioner shall receive not less than 60*l.* per annum out of the corporate revenues of the College (the emoluments of the said fifth Fellowship being, in the first place, applicable to that purpose), and shall be entitled to rooms within the College rent-free. The Exhibitioners shall be elected by the Provost, Dean, and Tutors of the College, or the major part of them, with or without examination, and with or without public notice, as the electors shall think fit. The Exhibitions shall be tenable till the end of the twentieth term from that of matriculation inclusive, and no longer. It shall be lawful for the Provost and Fellows to regulate from time to time the elections to the said Exhibitions, with a view to securing a regular succession, and to suspend elections so often and for such periods as may be necessary for that purpose.

23. The emoluments of the Fellowships hereby directed to be suspended or not filled up, shall be the sums which would in each year have been payable to the holders of the same, if the same had been filled up, and if the persons elected had resided in the University during the period required of them by the Statutes and regulations of the College in force for the time being. If any Fellowship or Fellowships shall be vacant at the time when this Ordinance shall be approved as aforesaid, such Fellowship or Fellowships shall, for the purposes of this Ordinance, be considered as having become vacant immediately after such approval.

24. The

24. The Provost and Fellows shall not be bound, by virtue of anything contained in the existing Statutes, to increase the number of Fellows above seventeen. The number of Fellowships within the College shall never be less than seventeen (inclusive of suspended Fellowships, but exclusive of any Fellowship held by the Regius Professor of Modern History under the power conferred by Clause 21), unless the Lord Chancellor shall think fit, on a petition in writing presented and subscribed by the Provost and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Provost and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

25. The Provost and Fellows shall, once at least in every ten years, lay before the Lord Chancellor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Lord Chancellor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Lord Chancellor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than 300*l.* a year (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances,) to direct, either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Provost and Fellows, with the approbation of the Lord Chancellor, shall determine.

26. Ten Scholarships shall always be maintained within the College, or more, if the Provost and Fellows shall think fit to increase the number; and each Scholar shall receive not less than 60*l.* a year out of the corporate revenues of the College

lege, and shall be entitled to rooms within the College, rent free.

27. No person shall be eligible to a Scholarship who shall have attained the age of twenty years, or who, being a Member of the University, shall have exceeded two years from his matriculation. And every candidate shall be required to produce testimonials of his moral character satisfactory to the Provost.

28. The Scholars shall be elected by the Provost and Fellows after an examination of the candidates in such subjects, and conducted in such manner as the Provost and Fellows shall determine, and that candidate shall be elected who after such examination shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

29. The election of Scholars shall take place on a stated day in each year to be appointed by the Provost and Fellows (subject to the provision for postponement herein-after contained); and notice of such intended election shall be given by the Provost in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

30. The Scholarships shall be tenable for five years, and no longer; and the Provost and Fellows shall not be required to elect to more than two Scholarships in any one year.

31. No person shall be incapable of being elected Bishop Robinson's Exhibitioner by reason of his not having determined or not having taken the degree of Bachelor of Arts, and no person shall be ineligible by reason of his not having been entered and kept his ordinary residence in the College from his first entrance in the University, provided he be a Scholar or Exhibitioner of the College.

32. Every Bishop Robinson's Exhibitioner who shall reside in the University six weeks at least in each Term (Easter and Trinity Terms being for this purpose considered as one Term), shall be entitled to receive the whole of his allowance, although he may have been absent from the University more than sixteen weeks in the year. And any Bishop Robinson's Exhibitioner who shall fail to reside during those periods shall thereby forfeit his Exhibition. Provided that it shall be lawful for the Provost, the Dean, and the three senior Fellows in residence for the time being, or the major part of those five, to grant leave of absence from the University to any Exhibitioner, so often and for so long as they may think fit.

33. Every Scholar or Exhibitioner who shall marry, or shall be

be elected to a Fellowship in any College within the University, or shall cease to be a member of the College, shall thereby vacate his Scholarship or Exhibition.

34. Every Scholar and Exhibitioner shall be subject to such regulations as to residence, instruction, discipline, and attendance on Divine worship, as the Provost and Fellows shall from time to time determine, and may be deprived of his Scholarship or Exhibition by the Provost and Fellows for any misconduct which shall in their judgment deserve deprivation, subject to such right of appeal as is hereinafter provided.

35. The Provost and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves, or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

36. The power of depriving Fellows for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Provost and Fellows, and shall be exercised by the vote of the major part of the Provost and all the Fellows, subject only to such appeal to the Lord Chancellor as is hereinafter provided: Provided, that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

37. Whenever there shall be no duly qualified candidate for a vacant Fellowship or Scholarship whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the Provost and Fellows for the purpose, not later than the next ensuing stated day of election, in the case of a Fellowship of Fellows, and, in the case of a Scholarship of Scholars; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

38. The Provost and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Provost and Fellows shall think proper: Provided that it shall

shall be lawful for the Lord Chancellor, upon the petition of the Provost or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also, that the Provostship shall not be deemed an office within the meaning of this clause.

39. The Provost and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Provost and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

40. In case the Provost or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by law established, such contumacious ceasing to conform shall be a cause for depriving the Provost of his Provostship, and any such Fellow of his Fellowship.

41. The oaths prescribed by the existing Statutes shall not hereafter be taken, but every person elected or admitted to any place or office on election or admission to which an oath is now required, shall at the time of his election or admission, make a declaration to the effect that he will faithfully perform the duties of such place or office and obey the Statutes and Byelaws of the College in force for the time being so far as they may concern him.

42. There shall be two stated general meetings at least of the Provost and Fellows in every year, on such days as the Provost and Fellows shall from time to time appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. Except in cases in which the concurrence of any specified proportion of the Provost and Fellows, or the consent of the Provost, is hereby made requisite, every question arising at any College meeting shall be decided by a majority of the votes of those present.

present. In all College meetings, elections, and admissions, and in the deprivation of Fellows, Scholars, and Exhibitioners, the Provost shall, if the votes are equal, have an additional casting vote. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be void: Provided that the Provost and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall think proper.

43. The power which is given by the existing Statutes to the Dean to act in place of the Provost, and the power of any officer of the College who may hereafter be authorized by any Statute or Byelaw to act in place of the Provost, shall be deemed to extend to all the acts which the Provost is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Provost's emoluments.

44. The particular provisions of the existing Statutes respecting the subjects of study within the College; and respecting the dress, conversation, and other personal habits of its members; and respecting the meals of the members of the College, and the mode of conducting the same; and respecting the inquiries to be made into the life and conduct of the members of the College, and the mode of making the same; and respecting the punishments for offences not being such as require deprivation; and respecting the service of the College; and respecting the inspection of the estates and other matters relating to the supervision of the property of the College, shall be void. The Provost and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Lord Chancellor on the part of any person who may deem himself aggrieved thereby, as is herein-after provided.

45. The power given by the existing Statutes to the Provost and ten or eight Senior Fellows of making Statutes, Rules, or Byelaws shall not hereafter be exercised.

46. If

46. If in any case it shall appear to the Lord Chancellor that, by reason of any change in the value of money, any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for him from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

47. It shall be lawful for the Visitor once in every ten years (or oftener, if and whenever it shall appear expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. The Provost and Fellows shall, so often as they may be required to do so, answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of ascertaining whether the Statutes in force for the time being are duly observed.

48. As often as any question shall arise on which the Provost and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Provost and Fellows, or for the Provost or any three of the Fellows, to submit the same to the Lord Chancellor; and it shall be lawful for him to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

49. It shall be lawful for the Provost or for any Fellow if he shall conceive himself aggrieved by any act or decision of the Provost and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act or decision or sentence to the Lord Chancellor; and it shall be lawful for the Lord Chancellor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence as he shall deem just.

50. It

50. It shall be lawful for the Lord Chancellor on the complaint of the Provost or of any of the Fellows, to disallow and annul any Byelaw or Resolution of the Provost and Fellows which shall, in his judgment, be repugnant to any of the Statutes of the College in force for the time being.

51. The Provost and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

52. In the construction of this Ordinance the words "Lord Chancellor" shall mean the Lord High Chancellor of Great Britain, and shall include the Lord Keeper and Lords Commissioners for the custody of the Great Seal of Great Britain for the time being.

53. Wherever the words "the Fellows" or "the Provost and Fellows" are used in this Ordinance, the word "Fellows" shall mean actual Fellows, and nothing herein contained shall be construed to give Probationers any power to which they would not have had if this Ordinance had not been made.

54. This Ordinance shall be without prejudice to the right of Her Majesty, Her heirs and successors, to visit the College, and to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the Statute 17th & 18th Vict. c. 81, in relation to BRASENOSE COLLEGE, in the UNIVERSITY of OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the 17th & 18th years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further "Provision for the good Government and Extension of the "University of Oxford, of the Colleges therein, and of the "College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows, in relation to the King's Hall and College of Brasenose in Oxford, commonly called "Brasenose College:"—

1. No person shall be incapable of being elected Principal of the said College by reason of his not being or not having been a Fellow of the College. The electors shall choose the person (being otherwise duly qualified according to Statutes of the College in force for the time being), who, in their judgment shall be most fit for the government of the College as a place of religion, learning, and education. All actual Fellows being Graduates shall be entitled to vote in elections to the office of Principal.

2. The Principal shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that in case of the Principal's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the Principal's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Principal.

3. From and after the time when this Ordinance shall have been approved by Her Majesty in Council the Principal shall be entitled to receive out of the revenues of the College, in addition to the allowances which are now payable to him by Statute or custom, an annual sum of 600 *l.* to commence immediately (subject to abatement in the case specified in Clause 21 of this Ordinance); and except as aforesaid, or by virtue of any commutation effected under Clause 4, he shall cease to be entitled to any share or interest in the corporate revenues of the College, or any part thereof.

4. The

4. The Principal and Fellows may at any time hereafter, if they shall think fit, commute the stipend and allowances, or other the emoluments for the time being, of the Principalship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Principal's emoluments, whether commuted or uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Principal without his consent: Provided also, that the Visitor, upon the petition of the Principal or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

5. If at any time it shall appear that the Principal has become permanently incapable of performing the duties of his office, the Vice-Principal shall, upon the request of any three or more Fellows, convene a meeting of the Graduate Fellows of the College, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Principal (as the case may be,) it shall appear to the satisfaction of the Visitor that the Principal has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-Principal, shall be presented to him, to be Pro-Principal of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the Principal's emoluments as the Visitor shall think fit; provided that the Principal shall be at liberty to retain his lodgings. And such Pro-Principal shall, so long as the Principal shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Principal, except the power of consenting to any commutation, regulation, or diminution of the Principal's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes,

and

and in the same manner. If any Pro-Principal shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-Principal in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Principal's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

6. Every actual Fellow of the College, being a Graduate, shall be entitled to vote in elections and admissions to Fellowships.

7. In elections to Fellowships within the College, no person shall be either entitled to preference or ineligible by reason of his having or not having taken any degree; or by reason of his pecuniary circumstances, and no person shall be ineligible by reason of his not being in Holy Orders: Provided, that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office which, if acquired after election, would have disqualified him for continuing a Fellow.

8. The election of Fellows shall take place on a stated day in each year, to be appointed by the Principal and Fellows (subject to the provision for postponement hereinafter contained), and notice of every intended election, and of the number of vacancies to be filled up, shall be given by the Principal, in such manner as he shall deem best adapted to secure publicity, thirty days at least before the day of election.

9. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Principal and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognised in the schools of the University; and the Principal and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

10. Every person elected to a Fellowship shall be entitled to receive, during the period of probation, the same emoluments as if he had been admitted an actual Fellow.

11. The rank which Fellows elected after the passing of the said Act shall hold in the College shall (except so far as

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is otherwise hereinafter provided) be determined according to the date of their election.

12. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled, either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any Government pension, or be admitted to any office tenable for life, or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls), clear of deductions (except for property or income tax), shall exceed 300 *l.*, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the abovementioned sources (including or not including a benefice with cure of souls), clear of deductions as aforesaid, shall exceed 500 *l.* vacate his Fellowship at the expiration of such twelve calendar months (or, in case such benefice shall be a benefice in the gift of the College, at the expiration of eighteen calendar months from the day of the avoidance thereof); and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any estate or interest in possession in any property real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property or any of such sources of income shall have been acquired shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

13. In certain excepted cases persons may hold Fellowships within the College although married, and although possessed of any benefice, property, pension, or office which would in ordinary cases render the possessor ineligible, and may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and without having passed the ex-

aminations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows :—

(*a.*) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the Principal and all the Fellows qualified to vote in the election of Fellows shall have been given, the Principal's vote being counted as two votes:

(*b.*) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma, or by decree of Convocation, or any honorary degree; provided that two-thirds of the votes of the Principal and all the Fellows qualified to vote in the election of Fellows shall have been given for the election of such Principal or other person as last aforesaid, the Principal's vote being counted as two votes:

Provided that any person elected under this Clause and being a Professor or Public Lecturer within the University, who at the time of his election shall hold a benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and that no person elected under this Clause shall by virtue thereof be enabled to hold, with his Fellowship, any benefice in the gift of the College, the possession of which would in ordinary cases be incompatible with the retention of a Fellowship.

14. The election in such excepted cases shall always be held more than thirty days before the usual stated day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges; provided also that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

15. Not more than one Fellowship shall at any one time be held under Clause 13 of this Ordinance.

16. Every Professor, Public Lecturer, or Principal of a Hall, elected to a Fellowship by virtue of Clause 13, who shall cease to hold such Professorship, Public Lecturership, or Principalship, and every Professor or Public Lecturer, elected

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as aforesaid, who shall be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship.

17. It shall be lawful for the Principal and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Principal and Fellows shall, by resolution, from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Principal and Fellows from time to time. Honorary Fellows shall not, in the construction of this ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

18. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University, shall thereupon vacate his Fellowship.

19. The provisions respecting the residence of Fellows, and the mode of granting leave of absence from the University, contained in the existing Statutes shall be henceforth void. The Principal and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Principal and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes, which shall be binding on the members of the College.

20. No Fellow elected after the passing of the said Act shall be bound, as a condition of retaining his Fellowship to enter into Holy Orders until ten years after the time at which he might, according to the Statutes of the University, have been admitted to the degree of Master of Arts.

21. It shall be lawful for every Fellow of the College elected before the passing of the said Act, at any time within

six calendar months from the day on which this Ordinance shall have been approved by Her Majesty in Council, to declare in writing that he accepts the commutation hereby offered. Every Fellow who shall so declare shall continue thereafter entitled to receive the stated allowances which by Statute or custom are now paid or allowed to the Fellows of the College (not including any share of fines), and he shall also be entitled to receive out of the clear corporate revenues of the College an annual sum of 300*l.*, to commence and become payable, in the case of any person who at the time of signing the declaration shall be one of the six Senior Fellows of the College, from the day of his signing the same; and in the case of any other person, from the day of his becoming one of the six Senior Fellows; but (except as aforesaid) he shall, from and after the signing of such declaration, be entitled, in respect to his Fellowship, to no share or interest whatever in such corporate revenues, or any part thereof. The words "Senior Fellows" shall in the remainder of this clause mean Senior Fellows for the time being having signed the aforesaid declaration. Every Fellow elected after the passing of the said Act shall be entitled to receive out of the clear corporate revenues emoluments amounting (inclusive of stated allowances) to 135*l.* per annum, until after the vacancy of the first Fellowship which shall become vacant subsequently to the approval of this Ordinance, not being one of the four Fellowships converted into Scholarships by an Ordinance bearing date the twenty-second day of May One thousand eight hundred and fifty-six, and after that vacancy to 150*l.* per annum. The foregoing directions shall be without prejudice to the right of Fellows elected before the passing of the Act who shall not have signed the declaration to receive the aforesaid stated allowances, and without prejudice also to the right of the Principal and Fellows to apply any part of the corporate revenues to any corporate purposes. If in any year the corporate revenues shall be insufficient for payment in full to the Fellows elected before the passing of the Act of their stated allowances, and to the Principal, the Senior Fellows, and the Fellows elected after the passing of the Act, of the emoluments (including allowances) hereinbefore allotted to them respectively, then the whole emoluments of the Principal, the senior Fellows, and the Fellows elected after the passing of the Act shall abate rateably. If in any year the corporate revenues shall be more than sufficient for payment of the said allowances and emoluments, the Principal and Fellows shall apply the excess, in the first place, in making good any deficiency

ficiency which may have arisen in any preceding year or years, and subject thereto shall set apart and reserve such excess, or so much thereof as shall appear reasonable, to meet any deficiency which may arise in any succeeding year or years. Subject to this direction, and to the other provisions of this Ordinance, the excess shall be at the disposition of the Principal and Fellows; provided that Fellows elected before the passing of the Act shall not be entitled to any share therein. The corporate revenues of the College shall include fines, rents, and all other profits which may arise or be receivable from or in respect of the property of the College.

22. From and after the approval of this Ordinance by Her Majesty in Council there shall be no election to a Fellowship within the College, unless at the time of such election it shall appear that the revenues of the College are sufficient for payment in full to the Principal and Fellows, including the Fellow about to be elected, of the allowances and emoluments payable to them respectively under Clause 21 of this Ordinance, and for providing a competent reserve fund, pursuant to the same Clause: Provided, however, that the Principal and Fellows may at any time fill up one or more vacant Fellowship or Fellowships, if in their judgment it shall be urgently required for the educational efficiency of the College, although it may not then appear that the revenues of the College are sufficient as aforesaid.

23. The Principal and Fellows may, if they shall think fit, commute the stated allowances now payable to Fellows, or any part thereof, for annual stipends or aliquot shares of the clear corporate revenues of the College. It shall be lawful for the Visitor, upon the petition of any Fellow who shall conceive himself aggrieved thereby, to disallow such commutation, if the Visitor shall think fit.

24. No Fellow elected after the passing of the said Act shall be entitled to receive larger emoluments in respect of his Fellowship than any other Fellow so elected, saving rights of preference in regard to the distribution of rooms within the College.

25. The fourth Fellowship which shall become vacant, and which would, according to the foregoing provisions, be filled up, shall not be filled up; but all the emoluments thereof shall be applied to such purposes connected with the Professoriate of the University as the Commissioners exercising the powers of the said Act shall by Ordinance direct, and in default thereof, and subject thereto, as the University shall by Statute, with the consent of the Principal and Fellows, determine. The emoluments of the said Fellowship shall be the sum which

would in each year have been payable to the holder of the same, if the same had been filled up, and if the person elected had resided in the University during the period required of him by the Statutes and regulations of the College in force for the time being: Provided that it shall be lawful for the Principal and Fellows, at any time within 10 years after the time at which the said Fellowship would, but for this Clause, have been filled up, to commute the emoluments of the same for a fixed annual sum of 200 *l.*, payable out of the clear corporate revenues of the College.

26. The number of Fellowships within the College shall never be less than 15, exclusive of the Fellowship hereinbefore directed to be not filled up, and of the four Fellowships converted into Scholarships by an Ordinance bearing date the twenty-second day of May, One thousand eight hundred and fifty-six, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Principal and not less than three-fourths of the Graduate Fellows, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Principal and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

27. The Scholarships of the several foundations of Joyce Frankland, John Claymond, Humphrey Ogle, James Binks (otherwise called James Stoddard), Hugh Henley, Thomas Church, and Thomas Yate, shall, when vacant, not be filled up; and the emoluments thereof respectively shall be consolidated with and treated as part of the corporate revenues of the College: Provided, that if at any time the Scholarships which by the said Ordinance of the twenty-second day of May, One thousand eight hundred and fifty-six, are directed to be established within the College, shall cease to be maintained therein, the consolidation directed by this Clause shall thereupon cease and determine, and the said emoluments shall be thenceforth applied to the purposes, and in the manner, to and in which they are now applicable, unless it shall be otherwise provided by Statute.

28. The Principal and Fellows shall, once at least in every 10 years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding

ceding 10 years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than 300 *l.* a year (exclusive of rooms or any allowances in respect thereof, but inclusive of all other allowances), to direct, either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Principal and Fellows, with the approbation of the Visitor, shall determine.

29. The power of depriving the Principal for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him after due inquiry upon the petition of the major part of all the Graduate Fellows; and the power of depriving Fellows for such causes, as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Principal and Fellows, and shall be exercised by the vote of the major part of the Principal and all the Graduate Fellows, subject only to such appeal to the Visitor as is hereinafter provided: Provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

30. Whenever there shall be no duly qualified candidate for a vacant Fellowship whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice hereinbefore directed before the day of election, the election shall be postponed to some other day, to be fixed by the Principal and Fellows for the purpose, not later than the next ensuing stated day of election in the case of a Fellowship of Fellows, and in the case of a Scholarship of Scholars; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

31. The Principal and Fellows may from time to time

regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment and election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Principal and Fellows shall think proper: Provided, that it shall be lawful for the Visitor, upon the petition of the Principal or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also, that the Principalship shall not be deemed an office within the meaning of this clause.

32. The Principal and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Principal and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

33. In case the Principal or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by law established, such contumacious ceasing to conform shall be a cause for depriving the Principal of his Principalship, and any such Fellow of his Fellowship.

34. The oaths prescribed by the existing Statutes shall not hereafter be taken; but every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall at the time of his election or admission take an oath or make a declaration, as the Principal and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office and obey the Statutes and byelaws of the College in force for the time being so far as they may concern him; and the electors to any place or office, before electing to which an

oath

oath is now required (not being an annual office), shall, before electing, take an oath or make a declaration, as the Principal and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

35. There shall be two stated general meetings at least of the Principal and Fellows in every year, on such days as the Principal and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Principal shall be counted as two votes at all College meetings. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the Principal and Fellows, or the consent of the Principal, is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present: Provided, that the seal of the College shall not be affixed to any act or document, except by authority of a meeting at which the Principal or his Vicegerent and a majority of all the Fellows shall have been present. Whenever the votes shall be equal the Principal shall have an additional casting vote. Every actual Fellow of the College being a Graduate shall be entitled to be present and vote at every College meeting. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the Principal and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question as they shall deem expedient.

36. The power which is given by the existing Statutes to the Vice-Principal to act in place of the Principal, and the power of any officer of the College who may hereafter be authorised by any Statute or Byelaw to act in place of the Principal, shall be deemed to extend to all the acts which the Principal is hereby authorised or directed to do, except the giving consent to any commutation, regulation, or diminution of the Principal's emoluments.

37. The provisions of the Chapters in the existing Statutes, intituled "De admissione Scholarium non Sociorum in Collegium

legium nostrum," and "De concordia Sociorum et non Sociorum in electionibus officiariorum Universitatis," shall be void.

38. The particular provisions of the existing Statutes respecting the subjects of study and instruction within the College, the disputations and other exercises to be performed by its members, and their attendance in the schools and at the exercises of the University; and respecting the devotions, dress, conversation, recreations, and other personal habits of the members of the College, and the conditions of their going beyond the precincts thereof; and respecting the meals of the members of the College, and the mode of conducting the same; and respecting the punishments for offences, not being such as require deprivation; and respecting the treatment of Fellows in case of sickness; and respecting the distribution of the rooms, and the use of the common hall and other common rooms or buildings of the College; and respecting the times of opening and closing the gates and doors of the College; and respecting the admission of strangers into the precincts of the College; and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same; and respecting progresses and other matters relative to the supervision of the property of the College; and respecting the custody and inspection of the monies, plate, and other goods of the College, other than the muniments and seals, shall be henceforth void. The Principal and Fellows shall from time to time make such regulations as they may deem necessary or expedient for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby, as is hereinafter provided.

39. If in any case it shall appear to the Visitor that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor, from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished, as he shall think fit; and the increased or diminished sum shall thenceforth

forth be substituted for and stand in the place of the sum originally fixed as aforesaid.

40. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit at other times, to require the Principal and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

41. As often as any question shall arise on which the Principal and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Principal and Fellows, or for the Principal or any three of the Graduate Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

42. It shall be lawful for the Principal or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Principal and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence as he shall deem just.

43. It shall be lawful for the Visitor, either *proprio motu* or on the complaint of the Principal or of any of the Fellows, to disallow and annul any byelaw or resolution of the Principal and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

44. The Principal and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, the vote of the Principal being counted as two votes, may from time to time, at any stated general meeting, subject to the provisions of

of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

45. Whenever the words "the Principal and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows being Graduates; and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

46. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the Statute 17 & 18 Vict. c. 81, in relation to WADHAM COLLEGE, in the UNIVERSITY of OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the 17th and 18th years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further "Provision for the good Government and Extension of the "University of Oxford, of the Colleges therein, and of the "College of St. Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Wadham College, in the said University:—

1. No person shall be incapable of being elected Warden of the said College by reason of his not having been born in Great Britain, or otherwise on account of his place of birth, or by reason of his not being or not having been a Fellow of the College. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being), who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education. The election of a Warden may, on every vacancy, be held at any time not less than fifteen nor more than thirty days after the vacancy shall have become known.

2. The Warden and Fellows may at any time hereafter, if they

they shall think fit, commute the emoluments of the Wardenship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Warden's emoluments, whether commuted or uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Warden without his consent: Provided also, that the Visitor, upon the petition of the Warden or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

3. If at any time it shall appear that the Warden has become permanently incapable of performing the duties of his office, the Sub-Warden shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying him to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Warden (as the case may be), it shall appear to the satisfaction of the Visitor that the Warden has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Sub-Warden, shall be presented to him, to be Pro-Warden of the College, and shall assign to him for his maintenance, in addito his Fellowship, so much (not exceeding one-third) of the Warden's emoluments as the Visitor shall think fit; provided that the Warden shall be at liberty to retain his lodgings. And such Pro-Warden shall, so long as the Warden shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Warden, except the power of consenting to any commutation, regulation, or diminution of the Warden's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes and in the same manner. If any Pro-Warden shall die, resign his office, vacate, or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-Warden in the same

same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Warden's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

4. In elections to Fellowships within the College no person shall be either entitled to preference or ineligible on account of his being or not being of the kindred of Nicholas Wadham, or of his being or not being a Scholar of the College, or of his having or not having completed his twentieth year, or of his being or not being a Master or Bachelor of Arts, or on account of his pecuniary circumstances; provided that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office which, if acquired after election, would have disqualified him from continuing a Fellow.

5. The election of Fellows shall take place on a stated day in each year, to be appointed by the Warden and Fellows (subject to the provision for postponement hereinafter contained); and notice of every intended election, and of the number of vacancies to be filled up, shall be given by the Warden, in such manner as he shall deem best adapted to secure publicity, thirty days at least before the day of election.

6. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Warden and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognised in the Schools of the University; and the Warden and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

7. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled either by descent or devolution, or by virtue of any testamentary or other gift or settlement to property, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution,

tution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls), clear of deductions (except for property or income tax), shall exceed 300 *l.*, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources (including or not including a benefice with cure of souls), clear of deductions as aforesaid, shall exceed 400 *l.*, vacate his Fellowship at the expiration of such twelve calendar months, and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities, at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any estate or interest in possession in any property real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property, or any of such sources of income, shall have been acquired, shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

8. In certain excepted cases persons may hold Fellowships within the College although married, and although possessed of any benefice, property, pension, or office which would, in ordinary cases, render the possessor ineligible, and may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and without having passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows :—

(*a.*) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the Warden and all the Fellows shall have been given, the Warden's vote being counted as two votes.

(*b.*) Any person of eminence in literature, science, or art, on whom the University shall have conferred a degree, either by diploma or by decree of Convocation, provided that two-thirds of the votes of the Warden and all the Fellows shall have been given for

for the election of such person as last aforesaid, the Warden's vote being counted as two votes:

Provided that any person elected under this clause, and being a Professor or Public Lecturer within the University, who at the time of his election shall hold a benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and that no person elected under this clause shall, by virtue thereof, be enabled to hold with his Fellowship any benefice in the gift of the College, the possession of which would in ordinary cases be incompatible with the retention of a Fellowship.

9. The election in such excepted cases shall always be held more than thirty days before the usual stated day of election, and the electors may, at the time of election, determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges; provided also that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

10. Not more than one Fellowship shall at any one time be held by persons elected under Clause 8 of this Ordinance.

11. Every Professor or Public Lecturer, elected to a Fellowship under Clause 8, who shall cease to hold such Professorship or Public Lecturership, or shall be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship.

12. It shall be lawful for the Warden and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows or to receive any emolument whatever; but shall be entitled to enjoy such other privileges and advantages as the Warden and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Warden and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

13. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

14. No

14. No present or future Fellow shall vacate his Fellowship by reason of his having held the same during any period of time mentioned in the existing Statutes.

15. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University, contained in the existing Statutes shall be henceforth void. The Warden and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Warden and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the Members of the College.

16. The first Fellowship which shall become vacant, in relation to which there shall be no Scholar having a right of preference acquired before the passing of the said Act and qualified for election, shall not be filled up, and the emoluments thereof shall in every year be paid to the Reader in Experimental Philosophy for the time being, provided he shall, during that year, reside within the University for eight weeks in each term (Easter and Trinity Terms being for this purpose considered as one Term). Any Reader to whom leave of absence shall have been granted on account of sickness, or for any other very urgent cause, by or by authority of the University, shall be entitled to payment as if he had kept the full period of residence herein-before required. It shall be lawful for the Warden and Fellows, at any time within five years after the time at which the said Fellowship would, but for this clause, have been filled up, to commute the emoluments of the same for a fixed annual sum of Two hundred pounds, payable out of the corporate revenues of the College. The Warden and Fellows may, if they shall think proper, elect the said Reader to be a Fellow of the College without notice, examination, or probation, and although married, and although he may be possessed of any benefice, property, pension, or office which would in ordinary cases render

the possessor ineligible, and although he may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided he be otherwise qualified for election, and be not a Fellow of any other College in the University; but any Reader so elected a Fellow shall not be entitled in right of his Fellowship to any emoluments besides those herein-before made payable to him, nor, if married, to rooms within the College or any allowance in respect of rooms, and if he shall cease to hold the Readership shall vacate his Fellowship. The emoluments of the Fellowship hereby directed to be not filled up shall be the sum which would in each year have been payable to the holder of the same if the same had been filled up, and if the person elected had resided in the University during the period required of him by the Statutes and regulations of the College in force for the time being. This clause shall continue in force so long only as the appointment or election of the said Reader shall be vested either in the Vice-Chancellor of the University for the time being, or in a Board of Electors, not exceeding five in number, and including the Warden.

17. The number of Fellowships within the College shall never be less than fourteen, exclusive of any Fellowship held by the Reader in Experimental Philosophy under the power conferred by Clause 16, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Warden and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Warden and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

18. The Warden and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements, and general state and condition of the College. And it shall be lawful for the Visitor

Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than 300 *l.* a year (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances,) to direct, either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Warden and Fellows, with the approbation of the Visitor, shall determine.

19. In election to Scholarships within the College, no person shall be either entitled to preference or ineligible on account of his place of birth, or of his being or not being of the kindred of Nicholas Wadham; and no person shall be ineligible on account of his being of illegitimate birth, or of his possessing property or income exceeding eight pounds a year, or of his age, provided that no person shall be eligible who shall have attained the age of twenty years.

20. The Scholars shall be elected after an examination of the candidates in such subjects, and conducted in such manner, as the Warden and Fellows shall determine, and that candidate, being otherwise duly qualified according to the Statutes in force for the time being, shall be elected who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

21. The election of Scholars shall take place on a stated day in each year, to be appointed by the Warden and Fellows (subject to the provision for postponement hereinafter contained); and notice of every intended election shall be given by the Warden in such manner as he shall deem best adapted to ensure publicity thirty days at least before the day of election.

22. Each Scholar shall receive not less than 46 *l.* per annum (inclusive of all allowances) out of the corporate revenues of the College, and shall be entitled to rooms within the College rent free.

23. The Scholarships shall be tenable for five years from the day of election inclusive, and no longer; and no Scholar shall be disqualified for retaining his Scholarship by reason of his having become possessed of property or income exceeding eight pounds a year.

24. The Warden and Fellows shall not be required to elect to more than three Scholarships in any one year.

25. It shall be lawful for the Warden and Fellows to add to, diminish, or otherwise alter from time to time, as they shall deem expedient, the Board appointed for the election of

Scholars, provided that the Warden shall always remain a member of the Board.

26. The Exhibitions of the foundation of Sir Benjamin Maddox, the Exhibitions of the foundation of Mr. Goodrich for three Scholars of the College, and the Exhibition of the foundation of Mr. Gerard, shall, as the same become vacant, not be filled up, but all the emoluments thereof respectively shall, from and after the next vacancy, be divided equally in every year among the Scholars of the College.

27. The Exhibitions of Dr. Hody's foundation shall be tenable for four years from the day of election inclusive, and no longer, and the intellectual qualifications of the candidates shall, before every election, be tested by a competitive examination in such subjects connected with the purposes of that foundation, as the electors shall determine.

28. The Warden and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves, or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

29. The power of depriving the Warden for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him, after due inquiry, upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Warden and Fellows, and shall be exercised by the vote of the major part of the Warden and all the Fellows, subject only to such appeal to the Visitor as is hereinafter provided; and the power of depriving Scholars for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the persons in whom the election of Scholars is or shall be vested, and shall be exercised by the vote of the major part of such persons, subject only to such appeal to the Visitor as is hereinafter provided: Provided, that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

30. The Warden and Fellows may deprive any Exhibitioner of his Exhibition for any misconduct which, in their judgment, shall merit deprivation.

31. Whenever there shall be no duly qualified candidate for a vacant Fellowship or Scholarship whom the electors shall judge of sufficient merit for election, and whenever a Fellowship

ship or Scholarship shall fall vacant, and there shall not be time to give the notice hereinbefore directed before the day of election, the election shall be postponed to some other day, to be fixed by the Warden and Fellows for the purpose, not later than the next ensuing stated day of election in the case of a Fellowship of Fellows, and in the case of a Scholarship of Scholars; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

32. The Warden and Fellows may from time to time regulate, as they shall think fit, the duties and emoluments of the officers of the College, and the modes of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College, and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Warden and Fellows shall think proper: Provided, that it shall be lawful for the Visitor, upon the petition of the Warden, or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also, that the Wardenship shall not be deemed an office within the meaning of this clause.

33. It shall be lawful for any Fellow of the College to be elected to and hold a Chaplaincy in the College without vacating his Fellowship.

34. The Warden and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Warden and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

35. In case the Warden or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by Law established, such con-

tumacious ceasing to conform shall be a cause for depriving the Warden of his Wardenship, and any such Fellow of his Fellowship.

36. The oaths prescribed by the existing Statutes shall not hereafter be taken. But every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall at the time of his election or admission take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office and obey the Statutes and Byelaws of the College in force for the time being so far as they may concern him; and the electors to any place or office, before electing to which an oath is now required, (not being an annual office,) shall, before electing, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

37. There shall be two stated general meetings at least of the Warden and Fellows in every year, on such days as the Warden and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Warden shall be counted as two votes at all College meetings, in the election, admission, and deprivation of Fellows, and in the election and deprivation of Scholars and deprivation of Exhibitioners. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the Warden and Fellows, or the consent of the Warden, is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present. Whenever the votes shall be equal, the Warden shall have an additional casting vote. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the Warden and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

38. The power which is given by the existing Statutes to the Sub-Warden to act in place of the Warden, and the power of any officer of the College who may hereafter be authorised

rised by any Statute or Byelaw to act in place of the Warden, shall be deemed to extend to all the acts which the Warden is hereby authorised or directed to do, except the giving consent to any regulation, commutation, or diminution of the Warden's emoluments.

39. The particular provisions of the existing Statutes respecting the subjects and hours of study and instruction within the College, the disputations and other exercises to be performed by its members; and respecting the dress, conversation, recreations, and other personal habits of the members of the College, and the hours and conditions of their going beyond the precincts thereof; and respecting the meals of the members of the College, and the mode of serving and conducting the same; and respecting the punishment of offences, not being such as require deprivation; and respecting the distribution of the rooms, and the use of the Common Hall and other common rooms or buildings, of the College; and respecting the use of the library; and respecting the times of opening and closing the gates and doors of the College; and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same; and respecting progresses and other matters relative to the supervision of the property of the College; and respecting the custody and inspection of the monies, plate, and other goods of the College other than the muniments and seal, shall be henceforth void. The Warden and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby as is herein-after provided.

40. If in any case it shall appear to the Visitor that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth

be substituted for and stand in the place of the sum originally fixed as aforesaid.

41. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so, without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of the College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any visitation, or, if he shall think fit at other times, to require the Warden and Fellows to answer in writing, touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

42. As often as any question shall arise on which the Warden and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College in force for the time being, it shall be lawful for the Warden and Fellows, or for the Warden or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

43. It shall be lawful for the Warden or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Warden and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence as he shall deem just.

44. It shall be lawful for the Visitor, either *proprio motu*, or on the complaint of the Warden or any of the Fellows, to disallow and annul any Byelaw or resolution of the Warden and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

45. Any provision of the existing Statutes whereby any member of the College may be prohibited or restrained from calling for a copy of any charges made against him before the Visitor or his Commissary, or for the name or names of the

the person or persons making such charges, shall be henceforth void.

46. The Warden and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, the vote of the Warden being counted as two votes, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, to amend the Statutes of the College in force for the time being, with the consent of the Visitor.

47. Wherever the words "the Fellows," or "the Warden and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows, and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

48. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal, this 28th day of March, 1857.

L. S.

ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the Statute 17 and 18 Vict. c. 81, in relation to TRINITY COLLEGE in the UNIVERSITY of OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the 17th and 18th years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows, in relation to Trinity College in the said University:

1. In elections to the office of President of the said College,

no

no person shall be entitled to preference by reason of his place of birth, or of his being or having been a Fellow of the College. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being), who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education.

2. The President shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that in case of the President's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the President's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the President.

3. The President and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Presidentship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the President's emoluments, whether commuted or uncommuted, as they shall think proper: Provided that no exercise of this power shall affect the person then being President without his consent: Provided also, that the Visitor, upon the petition of the President or of any one or more of the Fellows, may disallow any such commutation, regulation, increase or diminution, if he shall think fit.

4. If at any time it shall appear that the President has become permanently incapable of performing the duties of his office, the Vice-President shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the President, (as the case may be,) it shall appear to the satisfaction of the Visitor that the President has become permanently incapable of performing his duties, then the

the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-President, shall be presented to him, to be Pro-President of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the President's emoluments, as the Visitor shall think fit; provided that the President shall be at liberty to retain his lodgings. And such Pro-President shall, so long as the President shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of President, except the power of consenting to any commutation, regulation, or diminution of the President's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes, and in the same manner. If any Pro-President shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-President in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the President's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments. These provisions shall take effect in lieu of the provisions of the existing Statutes relating to the President's incapacity.

5. In elections to Fellowships within the College, no person shall be either entitled to preference or ineligible by reason of his place of birth or place of education, or of the place of residence of his parents, or of his pecuniary circumstances, or of his having or not having taken any degree, or of his being or not being a Scholar of the College, and no person shall be ineligible by reason of his not being instructed in plain song, or of his having any canonical impediment disqualifying him for Holy Orders, or by reason of any Statute limiting the number of Fellowships tenable at any one time by natives of the same county: Provided that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office which, if acquired after election, would have disqualified him for continuing a Fellow.

6. Thirty days at least before the day of election to a Fellowship notice of every intended election, of the number of vacancies to be filled up, and of the conditions of election, shall

shall be given by the President in such manner as he shall deem best adapted to secure publicity.

7. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the President and Fellows shall determine: Provided, that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognised in the Schools of the University; and the President and Fellows shall elect that candidate, being otherwise duly qualified according to the Statutes in force for the time being, who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

8. Every Fellow of the College shall be entitled to be present, and to vote at any meeting held for the admission of any person, after the year of probation, to a Fellowship.

9. Every person elected to a Fellowship shall be entitled to receive, during the year of probation, the same emoluments as if he had been admitted an actual Fellow.

10. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls) clear of deductions (except for property or income tax) shall exceed 300 *l.*, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources, (including or not including a benefice with cure of souls,) clear of deductions, as aforesaid, shall exceed 400 *l.*, vacate his Fellowship at the expiration of such twelve calendar months, and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any

any estate or interest in possession in any property real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property, or any of such sources of income, shall have been acquired shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

11. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(*a.*) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the President and all the Fellows shall have been given, the President's vote being counted as two votes.

(*b.*) Any Principal of a Hall within the University, not being a private hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma or by decree of Convocation, or any honorary degree: Provided, that two-thirds of the votes of the President and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid, the President's vote being counted as two votes.

12. The election in such excepted cases shall always be held more than thirty days before the usual day of election, and the electors may, at the time of election, determine the rank which the person elected shall hold in the College, without reference to the date of his election; Provided, that such rank shall confer no other than honorary privileges: Provided also, that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

13. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office, which would in ordinary

ordinary cases disqualify him for continuing a Fellow, may, nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the President and all the Fellows, or if he shall be Principal of any hall (not being a private hall), by two-thirds of the votes of the President and all the Fellows, the President's vote being in each case counted as two votes: Provided, that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

14. Any Fellow elected under Clause 11, or retained under Clause 13, shall (except in the case hereinafter mentioned) be deemed entitled thereafter to hold his Fellowship, although he may afterwards marry or become possessed of any property, pension, or office, or of any benefice (not being a benefice in the gift of the College, the possession of which would, in ordinary cases, be incompatible with the retention of a Fellowship).

15. Any person elected under Clause 11, or retained under Clause 13, and being a Professor or Public Lecturer within the University, who, at the time of his election or retention, shall hold a benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and no person elected or retained under either of the said Clauses shall, by virtue thereof, be enabled to hold with his Fellowship any benefice in the gift of the College, the possession of which would, in ordinary cases, be incompatible with the retention of a Fellowship. Every Professor, Public Lecturer, or Principal of a Hall, elected or retained under either of the said Clauses, who shall cease to hold such Professorship, Public Lecturership, or Principalship, and every Professor or Public Lecturer elected or retained as aforesaid, who shall be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship.

16. Not more than one Fellowship shall at any one time be held by Professors or Public Lecturers under the powers conferred by Clauses 11 and 13 of this Ordinance, if and so long as the whole number of Fellowships within the College shall not exceed twelve.

17. It shall be lawful for the President and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and

and advantages as the President and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the President and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

18. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

19. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University contained in the existing Statutes, shall be henceforth void. The President and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which, and the conditions under which, leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the President and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes, which shall be binding on the members of the College.

20. No present or future Fellow shall by reason of anything contained in the existing Statutes be bound, as a condition of retaining his Fellowship, to enter into Holy Orders, or not being in Holy Orders, to study or graduate in Theology. But if, at the time of holding an election to a Fellowship, there shall not be seven Fellows in Holy Orders, no person shall be eligible to such vacant Fellowship who shall not then be a Priest or Deacon of the United Church of England and Ireland, or have declared that he intends to take Holy Orders in the said Church. Every person who shall be elected after making such declaration shall be required to take Deacon's Orders at the least within two years from the day of his election, or if he shall not then be of sufficient age, within one year after the time at which he shall be of sufficient age, and in default thereof shall vacate his Fellowship: Provided that

that it shall be lawful for the President and Fellows in the case of sickness, or for any other very urgent cause, to grant a delay for a period not exceeding six months.

21. The number of Fellowships within the College shall never be less than twelve, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the President and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the President and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

22. The President and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which may have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require, for enabling him to form a judgment of the means and requirements, and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than 300 *l.* a year (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances), to direct, either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the President and Fellows, with the approbation of the Visitor, shall determine.

23. In elections to Scholarships within the College, no person shall be either entitled to preference or ineligible by reason of his place of birth or education, or of the place of residence or condition of his parents, and no person shall be ineligible by reason of his not being instructed in plain song; and any provision in the existing Statutes binding the electors to have more regard to the pecuniary circumstances of candidates,

dates, than to their moral or intellectual qualifications shall be void.

24. The Scholars shall be elected after an examination of the candidates in such subjects, and conducted in such manner, as the President and Fellows shall determine, and that candidate, being otherwise duly qualified according to the Statutes in force for the time being, shall be elected who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

25. The election of Scholars shall take place on a stated day or stated days in each year to be appointed by the President and Fellows (subject to the provision for postponement hereinafter contained); and notice of such intended election, and of the number of vacancies to be filled up, shall be given by the President, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

26. Each Scholar shall receive not less than 60 *l. per annum* (inclusive of all allowances) out of the corporate revenues of the College, and shall be entitled to rooms within the College rent-free.

27. The Scholarships shall be tenable for twenty Terms from the date of election (inclusive of the Term in which the election shall have taken place) and no longer; and no Scholar shall vacate his Scholarship by reason of his having attained the age of twenty-four years.

28. The President and Fellows shall not be required to elect to more than three Scholarships in any one year.

29. It shall be lawful for the President and Fellows to add to, diminish, or otherwise alter from time to time, as they shall deem expedient, the Board appointed for the election of Scholars; provided that the President shall always remain a member of the Board.

30. In elections to the Exhibitions of the foundation of Thomas Unton, Clerk, and Frederick Tylney, Esquire, no person shall be either entitled to preference or ineligible by reason of his place of birth, or of his being of the kindred of Thomas Unton.

31. The Exhibition of the foundation of Frederick Tylney, Esquire, shall be tenable for five years and no longer.

32. The President and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate

revenues of the College as they might have done if the Statutes had contained no such clause or provision.

33. The power of depriving the President for such causes as, according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him, after due inquiry, upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the President and Fellows, and shall be exercised by the vote of the major part of the President and all the Fellows, subject only to such appeal to the Visitor as is hereinafter provided; and the power of depriving Scholars for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the persons in whom the Election of Scholars is or shall be vested, and shall be exercised by the vote of the major part of such persons, subject only to such appeal to the Visitor as is hereinafter provided: Provided, that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

34. The President and Fellows may deprive any Exhibitioner of his Exhibition for any misconduct which in their judgment shall merit deprivation.

35. Whenever there shall be no duly qualified candidate for a vacant Fellowship or Scholarship whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice hereinbefore directed before the day of election, the election shall be postponed to some other day, to be fixed by the President and Fellows for the purpose, not later than the next ensuing stated day of election in the case of a Fellowship of Fellows, and in the case of a Scholarship of Scholars: and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

36. The President and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments

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as the President and Fellows shall think proper: Provided, that it shall be lawful for the Visitor, upon the petition of the President, or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also, that the Presidentship shall not be deemed an office within the meaning of this clause.

37. The President and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the President and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine service shall be henceforth void.

38. In case the President or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by law established, such contumacious ceasing to conform shall be a cause for depriving the President of his Presidentship and any such Fellow of his Fellowship.

39. The oaths prescribed by the existing Statutes shall not hereafter be taken, but every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall, at the time of his election or admission, take an oath or make a declaration, as the President and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office and obey the Statutes and Byelaws of the College in force for the time being so far as they may concern him; and the electors to any place or office before electing to which an oath is now required (not being an annual office) shall, before electing, take an oath or make a declaration, as the President and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

40. There shall be two stated general meetings at least of

the President and Fellows in every year, on such days as the President and Fellows shall appoint. Any stated general meeting may be adjourned, by resolution of the meeting, to a day to be specified in the resolution. The consent or concurrence of the President shall not (except in any case in which it is hereby made requisite) be required to make valid any act or resolution of the College, or any election or admission of Fellows, Scholars, or College officers. The vote of the President shall be counted as two votes at all College meetings, in the election, admission, and deprivation of Fellows, and in the election and deprivation of Scholars, and deprivation of Exhibitioners, and whenever the votes shall be equal he shall have an additional casting vote. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the President and Fellows, or the consent of the President, is hereby made requisite, every question arising at any meeting shall be determined by a majority of the votes of those present. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the President and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

41. The power which is given by the existing Statutes to the Vice-President to act in place of the President, and the power of any officer of the College who may hereafter be authorized by any Statute or Byelaw to act in place of the President, shall be deemed to extend to all the acts which the President is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the President's emoluments.

42. The particular provisions of the existing Statutes respecting the hours and subjects of study and instruction within the College, the disputations and other exercises to be performed by its members, and their attendance in the Schools and at the exercises of the University; and respecting sermons to be preached by members of the College; and respecting the devotions, dress, conversation, recreations, and other personal habits of the members of the College, and the conditions of their

their going beyond the precincts thereof; and respecting the meals of the members of the College, and the mode of serving and conducting the same; and respecting the inquiries to be made into the life and conduct of the members of the College, and the mode of making the same; and respecting the distribution of rooms; and respecting the use of the Library; and respecting the times of opening and closing the gates and doors of the College; and respecting the admission of strangers into the precincts of the College; and respecting the admission of Commoners and Batellers, and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same; and respecting progresses and other matters relative to the supervision of the property of the College: and respecting the custody and inspection of the monies, plate, and other goods of the College, other than the muniments and seals, shall be void. The President and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects, which the aforesaid particular provisions or any of them are respectively intended to effect, and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby, as is hereinafter provided.

43. Any provision of the existing Statutes whereby any member of the College charged with an offence may be prohibited or restrained from calling for a copy of the charges made against him, or for the name or names of the person or persons making such charges, shall be void.

44. If in any case it shall appear to the Visitor that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor from time to time for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

45. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, once in every ten

years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its Members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or if he shall think fit at other times, to require the President and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

46. As often as any question shall arise on which the President and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the President and Fellows, or for the President or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

47. It shall be lawful for the President or for any Fellow if he shall conceive himself aggrieved by any act or decision of the President and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence as he shall deem just.

48. It shall be lawful for the Visitor, either *proprio motu*, or on the complaint of the President or any of the Fellows, to disallow and annul any Byelaw or resolution of the President and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

49. The President and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College, with the consent of the Visitor.

50. Wherever the words "the Fellows," or "the President and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows, and nothing herein contained shall be

be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

51. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal this 28th day of March, 1857.

L. S.

ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the Statute 17 & 18 Vict. c. 81, in relation to ALL SOULS COLLEGE, in the UNIVERSITY of OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the 17th & 18th years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further "Provision for the good Government and Extension of the "University of Oxford, of the Colleges therein, and of the "College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to All Souls College, in the said University.

1. The election of the Warden of the said College shall be vested in the Fellows of the College present at the time of election. As soon as it shall have become known that a vacancy has occurred in the Office of Warden, the Sub-Warden, or in his absence the Senior Fellow in residence, shall convene a meeting of the Fellows. Such meeting shall appoint a day and hour for the election of a Warden, and the Sub-Warden, or in his absence the Senior Fellow in residence, as the case may be, shall convene a meeting of the electors for that day and hour. The day of election shall not be less than fifteen nor more than thirty days from the day on which the occurrence of the vacancy shall have become known. No person shall be elected or appointed Warden who shall not

be a Master of Arts or a Doctor of Theology, Civil Law, or Medicine; but no person shall be incapable of being elected or appointed by reason of his not being or not having been a Fellow of the College. The electors shall choose, and in case of lapse, the Archbishop of Canterbury for the time being shall appoint the person (being otherwise duly qualified according to the Statutes in force for the time being) who, in their or his judgment, as the case may be, shall be most fit for the government of the College as a place of religion and learning. That person in whose favour the greatest number of the electors shall have voted shall be declared to be elected. If the votes shall be equal, the Sub-Warden, or in his absence the Senior Fellow present, shall give an additional casting vote. Such election being made, the Sub-Warden or Senior Fellow present at the election, as the case may be, shall forthwith communicate to the Visitor the name of the person elected; and the Visitor shall confirm the election, unless it shall appear to him that such person is not duly qualified according to the Statutes in force for the time being. If the Visitor shall refuse to confirm the election, he shall notify such refusal to the Sub-Warden or the Senior Fellow present at the election, as the case may be, and the Fellows shall, within ten days of such notification by the Visitor, proceed in manner and form aforesaid to elect two persons whom they shall consider duly qualified for the office; and the Sub-Warden, or in his absence the Senior Fellow present at the last-mentioned election, shall thereupon communicate to the Visitor the names of the persons so elected, of whom the Visitor shall nominate one, being qualified, as aforesaid, to be Warden of the College.

2. The Warden shall be required to reside in the College seven calendar months at least in each year; whereof, six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that in case of the Warden's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the Warden's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Warden.

3. The Warden and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Wardenship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and

may

may also from time to time regulate, increase, or diminish the Warden's emoluments, whether commuted or uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Warden without his consent: Provided also, that the Visitor, upon the petition of the Warden, or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

4. If at any time it shall appear that the Warden has become permanently incapable of performing the duties of his office, the Sub-Warden shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Warden (as the case may be), it shall appear to the satisfaction of the Visitor that the Warden has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Sub-Warden, shall be presented to him, to be Pro-Warden of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the Warden's emoluments as the Visitor shall think fit; provided that the Warden shall be at liberty to retain his lodgings. And such Pro-Warden shall, so long as the Warden shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Warden except the power of consenting to any commutation, regulation, or diminution of the Warden's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes, and in the same manner. If any Pro-Warden shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-Warden in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Warden's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

5. The

5. The election of Fellows shall be vested in the Warden and the Fellows present at the time of election; and that candidate shall be deemed elected for whom the greatest number of votes shall have been given.

6. In elections to Fellowships no person shall be either entitled to preference or ineligible by reason of his place of birth, or of the condition of his parents, or of his pecuniary circumstances; or of his being or not being of the kindred of Archbishop Chicheley, the founder of the College; and no person shall be ineligible by reason of his not being of legitimate birth, or of his age, or of his Faculty, or of his not being qualified or disposed to take Holy Orders, or of his not being instructed in plain song: Provided, that no person shall be eligible who shall be in possession of any benefice which, if acquired after election, would have disqualified him for continuing a Fellow, nor any person who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, and shall not either have been placed in the First Class in one at least of the Public Examinations of the University, or have obtained some prize or Scholarship within the University unattached to any College or Hall and open to general competition among the members of the University. In case any Prize or Scholarship shall hereafter be founded by the Warden and Fellows for the encouragement of studies recognized in the School of Jurisprudence and Modern History, persons who shall have obtained such Prize or Scholarship shall be qualified for election to a Fellowship in the same manner as persons who have obtained any such Prize or Scholarship as above mentioned.

7. Thirty days at least before the day of election to a Fellowship, notice of every intended election, and of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Warden in such manner as he shall deem best adapted to secure publicity.

8. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects recognised in the School of Jurisprudence and Modern History within the University as the Warden and Fellows shall determine; and the Warden and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion and learning with special reference to the subjects recognized in the said School.

9. Every

9. Every person elected to a Fellowship shall undergo probation for one year from the day of his election inclusive, and at the end of such year shall be admitted an actual Fellow, if found fit in the judgment of the Warden and Fellows. Every person admitted to probation shall receive, during the year of probation, the same emoluments as if he had been admitted an actual Fellow.

10. Every Fellow who shall be instituted to an ecclesiastical benefice in the gift of the College (being a benefice with cure of souls), and shall retain such benefice for twelve calendar months from the day of his institution thereto, shall, if the annual value of such benefice, clear of deductions (except for property or income tax), shall exceed 300 *l.*, vacate his Fellowship at the expiration of such twelve calendar months. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

11. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without any period of probation, and although the persons elected be married, and although they be in possession of any benefice which would in ordinary cases render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, and may not have been placed in the first class at any of the Public Examinations of the University, or have obtained any such Scholarship or Prize as aforesaid, provided such persons are otherwise qualified for election. The excepted cases shall be as follows :—

(*a.*) Any Professor or Public Lecturer within the University, for whose election a majority of the votes of the Warden and all the Fellows shall have been given, the Warden's vote being counted as two votes.

(*b.*) Any Principal of a Hall within the University, not being a Private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma or by decree of Convocation, or any honorary degree; provided that two-thirds of the votes of the Warden and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid, the Warden's vote being counted as two votes.

12. The

12. The election in such excepted cases shall always be held more than thirty days before the usual day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election: Provided, that such rank shall confer no other than honorary privileges: Provided also, that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

13. Any Fellow who shall marry, or become possessed of any benefice which would in ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer within the University, be retained in his Fellowship by a majority of the votes of the Warden and all the Fellows, or if he shall be Principal of any Hall (not being a Private Hall), by two-thirds of the votes of the Warden and all the Fellows, the Warden's vote being in each case counted as two votes: Provided, that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

14. Any Fellow elected under Clause 11, or retained under Clause 13, shall be deemed entitled to hold his Fellowship, although he may afterwards marry.

15. Any person elected under Clause 11, or retained under Clause 13, who at the time of his election or retention shall hold any such benefice as aforesaid (or being a Professor or Public Lecturer, any benefice with cure of souls), and who shall retain such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and any Professor or Public Lecturer, so elected or retained, who shall afterwards be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship. Every Professor, Public Lecturer, or Principal of a Hall, so elected or retained, who shall cease to hold such Professorship, Public Lectureship, or Principalship, shall thereby vacate his Fellowship.

16. It shall be lawful for the Warden and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Warden and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Warden and Fellows from time to time. Honorary Fellows shall not, in the construction

struction of this Ordinance, be counted amongst the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

17. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

18. The provisions respecting the residence of Fellows, and the mode of granting leave of absence from the University, contained in the existing Statutes, shall be henceforth void. The Warden and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow, as they may deem expedient for the interests of the College as a place of learning, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and, in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Warden and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the members of the College. No non-resident Fellow shall be entitled to retain rooms within the College.

19. No present or future Fellow shall be required, as a condition of retaining his Fellowship, to take Holy Orders, or not being in Holy Orders, to study Theology.

20. Every Fellow shall be required to take either the degree of Master of Arts, or the degrees of Bachelor and Doctor of Civil Law, or those of Bachelor and Doctor of Medicine, within one year after the time at which he shall be of sufficient standing to take those degrees respectively by the Statutes of the University, and in case of non-compliance shall vacate his Fellowship: Provided, that the Warden and Fellows may, whenever they shall deem it just or expedient to do so, allow the taking of any such degree to be postponed for a period not exceeding, except in case of unsoundness of mind, one additional year. All provisions of the existing Statutes regulating or limiting the number of Members of the College required or permitted to study or graduate in any particular Faculty shall be void.

21. The number of Fellowships within the College shall never be less than thirty, exclusive of the ten Fellowships hereinafter

hereinafter directed to be not filled up, and of any Fellowship to which either of the Chicheley's Professors may, under Clauses 43 and 44, be elected, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Warden and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Warden and Fellows, if the same shall appear to be insufficient, or of founding Scholarships or Exhibitions, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion and learning.

22. The Warden and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than 300 *l.* a-year (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances), to direct either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in the foundation of Scholarships or Exhibitions, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Warden and Fellows, with the approbation of the Visitor, shall determine.

23. No Fellow hereafter to be elected shall be entitled to receive larger emoluments in respect of his Fellowship than any other Fellow by reason of his being of superior standing, or by reason of his Faculty or academical degree.

24. The Warden and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves, or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

25. No member of the College shall be precluded by reason

of anything contained in the existing Statutes from applying for or taking advantage of graces granted by the University, or from proceeding to any degree at the earliest time allowed by the Statutes and regulations of the University.

26. No Fellow shall be disabled by reason of anything contained in the existing Statutes from voting at any election or admission, or from doing or taking part in any act or proceeding as a Fellow, on account of his Faculty; and all provisions of the existing Statutes, whereby the concurrence of any specified proportion of the Fellows of any particular Faculty is made requisite for any act or proceeding of the College, shall be henceforth void.

27. The power of depriving the Warden for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him after due inquiry upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Warden and Fellows, and shall be exercised by the vote of the major part of the Warden and all the Fellows, subject only to such appeal to the Visitor as is hereinafter provided: Provided, that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

28. Whenever there shall be no duly qualified candidate for a vacant Fellowship whom the electors shall judge of sufficient merit for election, and whenever a Fellowship shall fall vacant, and there shall not be time to give the notice hereinbefore directed before the day of election, the election shall be postponed to some other day, to be fixed by the Warden and Fellows for the purpose, not later than the usual day of election of Fellows in the next year; and every such postponed election shall be held and conducted in the same manner and after the same previous notice as if there had been no postponement.

29. The Warden and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Warden and Fellows shall think proper: Provided, that it shall be lawful for the Visitor, upon the petition of

of the Warden or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also, that the Wardenship shall not be deemed an office within the meaning of this clause.

30. The Warden and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the appointment of Chaplains, from among the Fellows or otherwise, and for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Warden and Fellows may at any ordinary meeting or meetings, make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service and the appointment of Chaplains shall be henceforth void.

31. In case the Warden or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by law established, such contumacious ceasing to conform shall be a cause for depriving the Warden of his Wardenship, and any such fellow of his Fellowship.

32. The oaths prescribed by the existing statutes shall not hereafter be taken. But every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall, at the time of his election or admission, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Byelaws of the College in force for the time being, so far as they may concern him; and the electors to any place or office before electing to which an oath is now required (not being an annual office), shall, before electing, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

33. There shall be two stated general meetings, at least, of the

the Warden and Fellows in every year, on such days as the Warden and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Warden shall be counted as two votes at all College meetings, and in the election, admission, and deprivation of Fellows. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the Warden and Fellows, or the consent of the Warden, is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present. Whenever the votes shall be equal, the Warden shall have an additional casting vote. Any Statute, rule, or usage of the College, which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the Warden and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

34. The power which is given by the existing Statutes to the Sub-Warden to act in place of the Warden, and the power of any officer of the College who may hereafter be authorised by any Statute or Byelaw to act in place of the Warden, shall be deemed to extend to all the acts which the Warden is hereby authorised or directed to do, except the giving consent to any commutation, regulation, or diminution of the Warden's emoluments.

35. The particular provisions of the existing Statutes respecting the disputations and other exercises to be performed by the members of the College, and their attendance in the schools and at the exercises of the University; and respecting the devotions, dress, conversation, recreations, and other personal habits of the members of the College, and the hours and conditions of their going beyond the precincts of the College; and respecting the loans to be made to members of the College; and respecting the meals of the members of the College, and the mode of conducting the same; and respecting the inquiries to be made into the life and conduct of the members of the College, and the mode of making the same; and respecting the punishment for offences

not being such as require deprivation; and respecting the use of the common Hall and other common rooms or buildings of the College; and respecting the use of the library; and respecting the admission of strangers into the precincts of the College; and respecting the reading of the Statutes; and respecting the number, duties, and payment of the servants of the College, and respecting progresses and other matters relative to the supervision of the property of the College; and respecting the custody and inspection of the monies, plate, and other goods of the College other than the muniments and seals, shall be void. The Warden and Fellows shall from time to time make such regulations as they may deem necessaay or expedient for effecting the main objects which the aforesaid particular provisions, or any of them, are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby, as is hereinafter provided.

36. If in any case it shall appear to the Visitor that by reason of any change in the value of money, any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor from time to time, for the purpose of correcting or obviating such injustice, hardship or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

37. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit, at other times, to require the Warden and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire,

inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

38. As often as any question shall arise on which the Warden and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Warden and Fellows, or for the Warden or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

39. It shall be lawful for the Warden, or for any Fellow if he shall conceive himself aggrieved by any act or decision of the Warden and Fellows, and for any Exhibitioner who may have been deprived of his Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow or annul such act or decision, and to reverse or vary such sentence as he shall deem just.

40. It shall be lawful for the Visitor, either *proprio motu* or on the complaint of the Warden or of any of the Fellows, to disallow and annul any byelaw or resolution of the Warden and Fellows, which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

41. The Archbishop of Canterbury for the time being shall not hereafter have the power of making new Statutes.

42. The Warden and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, the vote of the Warden being counted as two votes, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

43. The first, third, fifth, seventh, and ninth Fellowships which shall become vacant after the approval of this Ordinance by Her Majesty in Council shall not be filled up, and the emoluments thereof shall be applied to the maintenance within the University of a Professor of International Law and Diplomacy, to be called "Chicheley's Professor of International Law and Diplomacy." The election of the said Professor shall always be vested in the Visitor and the Warden of the College, the Lord High Chancellor of Great Britain, the Judge of the High Court of Admiralty, and Her Majesty's Secretary of State for Foreign Affairs for the time being, or the major part of them. The first election of a Professor shall

take place as soon as three of the said five Fellowships shall have become vacant, or sooner if the persons holding the aforesaid offices, or the major part of them, shall so determine; and the emoluments which previously to that election shall have accrued from such of the said Fellowships as shall become vacant shall be invested and accumulated by the College, and paid with the accumulations to the first Professor on his election. The University may define by Statute, and from time to time regulate the functions and duties of the Professor, and may provide for the performance of them by Deputy in case of his unavoidable absence or incapacity, and for the suitable payment of any such Deputy out of the Professor's emoluments, and may determine whether the Professor shall be permitted to receive any and what fees for attendance on his instructions, provided that no such fees shall be payable by any Member of the College. The Professor shall reside in the University for six months at least between the tenth day of October in every year, and the first day of the next ensuing July, and in default thereof shall vacate his Professorship, unless leave of absence shall have been granted to him on account of sickness, or for any other very urgent cause, by or by authority of the University. It shall be lawful for the Vice-Chancellor and the Delegates of Appeals in Congregation, or the greater part of them, to deprive of his Professorship any Professor who, in their judgment, shall have been proved to be guilty of culpable negligence or misconduct in his office, grave immorality, or non-observance of the Statutes relating to him, reasonable notice in writing of the charge having been first given to the Professor by the Vice-Chancellor, to enable him to answer the same if he shall desire to do so. The University may by Statute regulate the mode of proceeding on any such charge as aforesaid, and limit the time allowed for giving notice. The Warden and Fellows may, if they shall think proper, elect the Professor to be a Fellow of the College without notice, examination, or probation, and although married, and although possessed of any benefice which would, in ordinary cases, render the possessor ineligible, and although he may not have passed the examinations required by the University for the degree of Bachelor of Arts, and may not have been placed in the First Class at any of the Public Examinations of the University, or have obtained any such Scholarship or Prize as aforesaid, provided he be otherwise qualified for election, and be not a Fellow of any other College within the University; but any Professor so elected a Fellow shall not be entitled in right of his Fellowship

ship to any emoluments besides those attached to his Professorship, nor, if married, to rooms within the College, or any allowance in respect of rooms, and if he shall cease to hold the Professorship, shall vacate his Fellowship.

44. The eleventh, thirteenth, fifteenth, seventeenth, and nineteenth Fellowships which shall become vacant after the approval of this Ordinance shall not be filled up, and the emoluments thereof shall be applied to the maintenance within the University of a Professor of Modern History, to be called "Chicheley's Professor of Modern History." All the Provisions of Clause 43, relating to the election, deprivation, residence, functions, duties, and emoluments of the Professor of International Law and Diplomacy, and the period at which the first election of a Professor is to be held, and the power thereby given to the College of electing the Professor to a Fellowship, and the conditions under which such Fellowship shall be held, shall extend, and be applicable *mutatis mutandis* to the said Professor of Modern History, as if repeated in this Clause.

45. The Professors, although not elected Fellows, shall be entitled to participate with the Fellows in the use of the Chapel, Hall, and Library of the College, and shall take rank in College next after the Sub-Warden, and as between themselves in the order of their election.

46. The emoluments of any Fellowship hereinbefore directed to be applied to the maintenance of any Professorship shall be the sum which would in each year have been payable to the holder of the same if the same had been filled up, and if the person elected had resided in the University during the period required of him by the Statutes and Regulations of the College in force for the time being: Provided, that it shall be lawful for the Warden and Fellows, at any time within five years after the time at which the last of the Fellowships hereby appropriated to each Professorship would, but for the provisions of this Ordinance, have been filled up, to commute the emoluments of all or any of the Fellowships appropriated to that Professorship, for a fixed annual sum of 150*l.* each, payable out of the corporate revenues of the College, to the purposes to which the said emoluments are hereinbefore directed to be applied.

47. Any Fellowship or Fellowships which may be vacant when this Ordinance shall be approved as aforesaid shall, for the purposes of this Ordinance, be deemed to have become vacant immediately after such approval.

48. Whenever the words "the Fellows," or "the Warden and Fellows," are used in this Ordinance, the word "Fellows" shall

shall mean actual Fellows, and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

49. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal, this 3d day of April 1857.

L. S.

ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the Statute 17th and 18th Vict. c. 81, in relation to JESUS COLLEGE, in the UNIVERSITY of OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the 17th and 18th years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further "Provision for the good Government and Extension of the "University of Oxford, of the Colleges therein, and of the "College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Jesus College in the said University:—

1. In elections to the office of Principal of the said College, no person shall be entitled to preference or ineligible by reason of his being or not being, or having been or not having been, a Fellow of the College, or be ineligible by reason of his being married. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being) who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education.

2. The Principal shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided, that in case

case of the Principal's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the Principal's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Principal.

3. The Principal and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Principalship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Principal's emoluments, whether commuted or uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Principal without his consent: Provided also, that the Visitor, upon the petition of the Principal, or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

4. If at any time it shall appear that the Principal has become permanently incapable of performing the duties of his office, the Vice-Principal shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Principal (as the case may be), it shall appear to the satisfaction of the Visitor that the Principal has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-Principal, shall be presented to him, to be Pro-Principal of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the Principal's emoluments as the Visitor shall think fit; Provided that the Principal shall be at liberty to retain his lodgings. And such Pro-Principal shall, so long as the Principal shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the func-

tions and duties and have all the powers and authorities of Principal, except the power of consenting to any commutation, regulation, or diminution of the Principal's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes, and in the same manner. If any Pro-Principal shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-Principal in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Principal's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

5. The Fellowship of the foundation of King Charles the First, within the said College, shall be converted into Scholarships in manner hereinafter mentioned.

6. From and after the first vacancy which shall occur in the said Fellowship (or if the same shall be vacant when this Ordinance shall be approved by Her Majesty in Council, then from and after such approval), that proportion of the whole sum payable to the College on account of the said foundation, which by the Letters Patent of King Charles the First, dated the Seventeenth day of June, in the eleventh year of His said Majesty's reign, is appropriated to the maintenance of a Fellowship, shall be applied to the maintenance of incorporated Scholars within the said College, to be called King Charles the First's Scholars, between whom the amount of the said emoluments shall be divided in equal shares.

7. The number of the said Scholars shall be such as the Principal and Fellows shall from time to time determine; provided that it be not less than two, nor so great as to reduce each Scholar's share of the said emoluments below Sixty pounds *per annum*. The senior for the time being in residence of the King Charles the First's Scholars shall always be entitled to rooms within the College rent-free.

8. The King Charles the First's Scholars shall be elected by the Principal and Fellows from persons born in Jersey or Guernsey, or in one of the islands adjacent to them, or educated for the two years last preceding the election (or, if the person elected shall be then a member of the University, for the two years last preceding his matriculation), either at Victoria College in Jersey, or at Elizabeth College in Guernsey.

9. The first, third, seventh, and ninth Fellowships (other than the Fellowship of the foundation of King Charles the First,

First, and the two Fellowships of the foundation of Sir Leoline Jenkins), which shall become vacant after the approval of this Ordinance by Her Majesty in Council, and in relation to which there shall be no Scholar having a right of preference acquired before the passing of the said Act and qualified for election, shall not be filled up, but all the emoluments thereof shall be applied in carrying into effect the following objects as soon as conveniently may be, namely:—

1. In increasing the number of the Scholarships of the College, other than the King Charles the First's Scholarships, to Twenty-two.
2. In equalising and augmenting the value of all the Scholarships of the College, other than the King Charles the First's Scholarships: Provided that the value of each Scholarship, inclusive of rooms and all allowances, shall not, until the number of Scholarships (other than the King Charles the First's Scholarships) shall have been increased to twenty-two, be raised above 80 *l. per annum.*

Any Fellowship or Fellowships which may be vacant at the time of the approval of this Ordinance shall, for the purposes of this Ordinance, be considered as having become vacant immediately after such approval.

10. The emoluments of the Fellowships hereinbefore directed to be not filled up shall be the sums which would in each year have been payable to the holders of the same if the same Fellowships had been filled up, and if the persons elected had resided in the University during the period required of them by the Statutes and regulations of the College in force for the time being: Provided, that it shall be lawful for the Principal and Fellows, at any time within five years after the time at which each of the said Fellowships would, but for the provisions of this Ordinance, have been filled up, to commute the emoluments thereof for a fixed annual sum of 250 *l.*, payable out of the corporate revenues of the College to the purpose to which the emoluments of such Fellowship are hereinbefore made applicable.

11. The fifth Fellowship, not being the Fellowship of the foundation of King Charles the First, or one of the two Fellowships of the foundation of Sir Leoline Jenkins, which shall become vacant after the approval of this Ordinance by Her Majesty in Council, and in relation to which there shall be no Scholar having a right of preference acquired before the passing of the said Act and qualified for election, shall not be filled

filled up. From and after the time at which the same would, but for this provision, have been filled up, the corporate revenues of the College shall be charged with the payment to the University of an annual sum of 250 *l.*, to be applied to such purposes connected with the Professoriate of the University as the University shall by Statute, with the consent of the Principal and Fellows, from time to time determine.

12. It shall be lawful for the Principal and Fellows, if and so long as they shall deem it expedient for the interests of education in connexion with the Principality of Wales, from time to time to divide the Fellowships (exclusive of those which are hereinbefore directed not to be filled up) as nearly as may be, into two moieties, whereof one moiety shall be termed Welsh Fellowships, and shall be filled up by the election of natives of Wales or Monmouthshire, if any such be found of sufficient merit and fit to be Fellows of the College in the judgment of the electors. In elections to two Welsh Fellowships the Principal and Fellows shall require that the candidates shall be able to speak the Welsh language. In making such division one of the Fellowships of the foundation of Sir Leoline Jenkins shall be placed in each moiety. Subject to these provisions, no person shall be either entitled to preference or ineligible, in elections to Fellowships within the College, by reason of his place of birth or place of education, or of his age or pecuniary circumstances, or of his being or not being of the name or kindred of any person named in any instrument of foundation, or of his being or not being able to speak the Welsh language, or of his having or not having taken any degree, or being or not being a Scholar or Member of the College: Provided, that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office, which, if acquired after election, would have disqualified him for continuing a Fellow.

13. The election of Fellows shall take place on a stated day or stated days in each year, to be appointed by the Principal and Fellows (subject to the provisions for postponement hereinafter contained), and thirty days at least before the day of election to a Fellowship, notice of every intended election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Principal in such manner as he shall deem best adapted to secure publicity.

14. The intellectual qualifications of the candidates for Fellowships

lowships shall be tested by an examination in such subjects connected with the studies of the University as the Principal and Fellows shall determine: Provided, that the system of examinations shall be such as shall render Fellowships accessible from time to time to excellence in every branch of knowledge for the time being recognised in the Schools of the University; and the Principal and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

15. Every person elected to a Fellowship shall be entitled to receive, during the period of probation, the same emoluments as if he had been admitted an actual Fellow.

16. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled, either by descent or devolution, or by virtue of any testamentary or other gift or settlement to property, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice, clear of deductions (except for property or income tax), shall exceed 300*l.*, or if the annual income derivable by him from such property, pension, or office, or from any two or more of the above-mentioned sources (including or not including an ecclesiastical benefice), clear of deductions as aforesaid, shall exceed 300*l.*, vacate his Fellowship at the expiration of such twelve calendar months (or, in case such benefice shall be a benefice in the gift of the College, at the expiration of eighteen calendar months from the avoidance thereof); and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any estate or interest in possession in any property real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property or any of such sources of income shall have been acquired, shall, in construing this clause, be considered as the time of the acquisition of the whole thereof.

Except

Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

17. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without the period or probation required by the Statutes, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office which would in ordinary cases render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(*a.*) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the Principal and all the Fellows shall have been given, the Principal's vote being counted as two votes.

(*b.*) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science or art, on whom the University in Convocation shall have conferred a degree, either by diploma or by decree of Convocation, or any honorary degree: Provided that two-thirds of the votes of the Principal and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid, the Principal's vote being counted as two votes.

18. The election in such excepted cases shall always be held more than thirty days before the usual day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges: Provided also, that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

19. Any Fellow who shall marry or who shall become possessed of any benefice, property, pension, or office which would in ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Principal and all the Fellows, or, if he shall be Principal of any Hall (not being a private Hall), by two-thirds of the votes of the Principal and all the Fellows; the Principal's vote being in each case counted as two votes: Provided

Provided, that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

20. Any Fellow elected under Clause 17, or retained under Clause 19, shall (except in the case hereinafter mentioned) be deemed entitled thereafter to hold his Fellowship although he may afterwards marry or become possessed of any property, pension, or office, or of any benefice (not being a benefice in the gift of the College, the possession of which would in ordinary cases be incompatible with the retention of a Fellowship).

21. Any person elected under Clause 17, or retained under Clause 19, and being a Professor or Public Lecturer within the University, who at the time of his election, or retention, shall hold a benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and no person elected or retained under either of the said clauses shall by virtue thereof be enabled to hold with his Fellowship any benefice in the gift of the College the possession of which would, in ordinary cases, be incompatible with the retention of a Fellowship. Every Professor, Public Lecturer, or Principal of a Hall, elected or retained under either of the said clauses, who shall cease to hold such Professorship, Public Lectureship, or Principalship, and every Professor or Public Lecturer, elected or retained as aforesaid, who shall be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship.

22. Not more than one Fellowship shall at any one time be held by Professors or Public Lecturers under the powers conferred by Clauses 17 and 19 of this Ordinance, if and so long as the whole number of Fellowships within the College exclusive of Fellowships hereinbefore directed to be not filled up, shall not exceed twelve.

23. It shall be lawful for the Principal and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Principal and Fellows shall, by resolution from time to time, determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Principal and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the

the College, nor Honorary Fellowships among the Fellowships of the College.

24. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

25. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University contained in the existing Statutes, shall be henceforth void. The Principal and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Principal and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the Members of the College.

26. It shall always hereafter be lawful for four Fellows of the College, not being Fellows of the foundation of Sir Leoline Jenkins, to retain their Fellowships without taking Holy Orders. As often as the number of Lay Fellows, being Masters of Arts or of sufficient standing to take that degree, shall be reduced below four, the option of holding a Lay Fellowship shall devolve on the Fellows who shall not have attained that standing successively, according to seniority from the date of election, so that the number of Fellows retaining or entitled to retain their Fellowships as Laymen may be made up to four from time to time. Subject to these provisions, every Fellow shall be required to take Deacon's Orders before the expiration of one year after he shall be of sufficient standing to take the degree of Master of Arts (or, in case he shall have attained such standing at the time of his election, within one year after his election), and to take Priest's Orders within two years after having taken Deacon's Orders, and in default thereof shall vacate his Fellowship: Provided, that nothing herein contained shall effect the obligation of the Fellows of the foundation of Sir Leoline Jenkins to take Priest's Orders before being admitted actual Fellows.

27. The

27. The number of Fellowships within the College, exclusive of those hereinbefore directed not to be filled up, shall never be less than thirteen, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Principal and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Principal and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

28. The Principal and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor, thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than 300 *l.* a year (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances), to direct, either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Principal and Fellows, with the approbation of the Visitor, shall determine.

29. All the Scholarships now existing in the College, other than the Scholarships of the foundation of Sir John Walter and Bishop Westphaling, and of the foundation of Mr. Richard Budd, and all the Scholarships to be established within the College under the provisions of this Ordinance, other than the King Charles the First's Scholarships, shall be termed Welsh Scholarships, and shall be filled up by the election of persons being natives of Wales or Monmouthshire, or who shall have been educated for the four years last preceding the election (or last preceding their matriculation, if already members of the

the University) at one of the Free Grammar Schools of Abergavenny, Bangor, Beaumaris, and Bottwnnog, or the Free School of Cowbridge, or such other schools or school in Wales or Monmouthshire, as the Principal and Fellows may from time to time, by resolution at any stated general meeting, admit to this privilege, if any such persons be found of sufficient merit and fit to be Scholars of the College in the judgment of the electors. Subject to this provision, no person shall be either entitled to preference or ineligible in elections to Scholarships within the College, other than the King Charles the First's Scholarships, by reason of his place of birth or place of education, and no person shall be entitled to preference or ineligible in elections to any Scholarship within the College by reason of his being or not being of the kindred of any person named in any instrument of foundation, or shall be ineligible by reason of his having more than 10 *l.* a year.

30. The Scholars shall be elected by the Principal and Fellows after an examination of the candidates in such subjects, and conducted in such manner, as the Principal and Fellows shall determine, and that candidate, being otherwise duly qualified according to the statutes in force for the time being, shall be elected who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

31. The election of Scholars shall take place on a stated day or stated days in each year, to be appointed by the Principal and Fellows (subject to the provisions for postponement hereinafter contained); and notice of every intended election shall be given by the Principal, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

32. The elections to the King Charles the First's Scholarships shall, as to the years in which the same shall be held, be so regulated with reference to the elections to the King Charles the First's Scholarships at Exeter and Pembroke Colleges, and to the elections to Bishop Morley's Scholarship at Pembroke College, that an election to one Scholarship at least on one or other of those four foundations may, as far as possible, be held every year. The Principal and Fellows may for this purpose make such arrangements as they shall think proper with the governing bodies of Exeter College and Pembroke College, and may suspend the elections to the said King Charles the First's Scholarships within Jesus College so often and for so long as may be necessary or convenient for the same purpose, and may retain the emoluments of any suspended

pended Scholarship during the period of suspension, and employ the same in augmenting the value or number of the said Scholarships, in such manner as they shall think fit.

33. The King Charles the First's Scholarships shall be tenable for such periods, being not less than five nor more than seven years, as the Principal and Fellows, having regard as far as may be to the arrangements made by Exeter College and Pembroke College, shall from time to time determine. Every Scholarship within the College, other than the King Charles the First's Scholarships, shall be tenable until the holder thereof shall have completed the twentieth Term inclusive from the date of his matriculation, and no longer.

34. The Scholarships to be established within the College under the provisions of this Ordinance (other than the King Charles the First's Scholarships) shall, as regards the conditions of eligibility thereto, and in all other respects, stand upon the same footing and be subject to the same Statutes and regulations as the Scholarships now existing within the College shall be upon and subject to; the King Charles the First's Scholarships shall be subject to the same Statutes and regulations, so far as the same shall not be inconsistent with the specific provisions of this Ordinance relating to those Scholarships.

35. The Principal and Fellows may deprive any Scholar of his Scholarship for any misconduct which in their judgment shall merit deprivation, subject to such right of appeal to the Visitor as is herein-after provided.

36. The emoluments of the twenty-four Exhibitions of the foundation of Edmund Meyrick, Clerk, of the three Exhibitions of the foundation of Mr. Bloom, and of the two Exhibitions of the foundation of Mr. Rice Powell, shall be consolidated, as the same respectively become vacant, and applied in maintaining as many Exhibitions of the value of Forty pounds per annum respectively as the amount of the said consolidated emoluments for the time being will allow. The said Exhibitions shall respectively be filled up by the election of deserving persons, being natives of Wales or Monmouthshire, whom the Principal and Fellows shall have ascertained to be in need of support at the University; provided that no person shall be elected whose merit and fitness to be an Exhibitioner shall not have been previously tested by an examination. No person shall be entitled to preference or ineligible in elections to any of the said Exhibitions by reason of his place of birth, otherwise than by reason of his being a native of Wales or Monmouthshire, as aforesaid. No person shall be eligible to

any of the said Exhibitions who shall be a Scholar of the College, and every Exhibitioner who shall be elected to a Scholarship within the College shall thereupon vacate his Exhibition. Each of the said Exhibitions shall be tenable until the holder thereof shall have completed the twentieth Term inclusive from the date of his matriculation, and no longer.

37. Notice of every intended election to any of the said Exhibitions shall be given by the Principal, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

38. The Exhibitioners to be maintained out of the said consolidated emoluments shall be subject to such regulations respecting their residence, attendance on Divine Worship, instruction, and discipline as the Principal and Fellows shall from time to time determine; and shall be subject to deprivation by the Principal and Fellows for such misconduct as in the judgment of the Principal and Fellows shall merit deprivation.

39. The Principal and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

40. The power of depriving the Principal for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him, after due inquiry, upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Principal and Fellows, and shall be exercised by the vote of the major part of the Principal and all the Fellows, subject only to such appeal to the Visitor as is herein-after provided: Provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

41. Whenever a Welsh Fellowship shall be vacant, and no candidate shall offer himself for such Fellowship duly qualified in respect of his place of birth and otherwise, whom the electors shall judge of sufficient merit for election, such Fellowship shall be thrown open for that turn, and the election shall be postponed to some other day, to be fixed by the Principal and Fellows for the purpose, not later than the next ensuing stated day of election to Fellowships.

42. Whenever

42. Whenever a King Charles the First's Scholarship or a Welsh Scholarship shall be vacant, and no candidate shall offer himself for such Scholarship duly qualified in respect of his place of birth or education, whom the electors shall judge of sufficient merit for election, such Scholarship shall be thrown open for that turn, and the election shall be postponed to some other day, to be fixed by the Principal and Fellows for the purpose, not later than the next ensuing stated day of election to Scholarships.

43. Whenever there shall be no duly qualified candidate for a vacant Fellowship other than a Welsh Fellowship, or for any Scholarship other than a King Charles the First's Scholarship or a Welsh Scholarship, or for any Fellowship or Scholarship which shall have been thrown open as aforesaid, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the Principal and Fellows for the purpose, not later than the next ensuing stated day of election, in the case of a Fellowship of Fellows, and in the case of a Scholarship of Scholars; and every such postponed election shall be held and conducted in the same manner and after the same previous notice as if there had been no postponement.

44. The Principal and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College, and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Principal and Fellows shall think proper: Provided that it shall be lawful for the Visitor, upon the petition of the Principal or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also, that the Principalship shall not be deemed to be an office within the meaning of this clause.

45. The Principal and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College during full Term, and at such

other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and shall be subject to the approval of the Archbishop of Canterbury for the time being, and if disallowed by him shall be void. In the meantime, and until such regulations can be made, the Principal and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

46. In case the Principal or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland, as by law established, such contumacious ceasing to conform shall be a cause for depriving the Principal of his Principalship, and any such Fellow of his Fellowship.

47. The oaths prescribed by the existing Statutes shall not hereafter be taken. But every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall, at the time of his election or admission, take an oath or make a declaration, as the Principal and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Byelaws of the College in force for the time being, so far as they may concern him; and the electors to any place or office before election to which an oath is now required, (not being an annual office,) shall, before electing, take an oath or make a declaration, as the Principal and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

48. There shall be two stated general meetings at least of the Principal and Fellows in every year, on such days as the Principal and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Principal shall be counted as two votes at all College meetings, and in the election, admission, and deprivation of Fellows, and the election and deprivation of Scholars. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the Principal and Fellows, or the consent of the Principal, is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present. Whenever the votes shall be equal, the Principal shall have an additional casting

casting vote. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the Principal and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

49. The power which is given by the existing Statutes to the Vice-Principal to act in place of the Principal, and the power of any officer of the College who may hereafter be authorised by any Statute or Byelaw to act in place of the Principal, shall be deemed to extend to all the acts which the Principal is hereby authorised or directed to do, except the giving consent to any commutation, regulation, or diminution of the Principal's emoluments.

50. The particular provisions of the existing Statutes respecting the subjects and hours of study and instruction within the College, the disputations and other exercises to be performed by its members, and their attendance in the schools and at the exercises of the University; and respecting the devotions, dress, conversation, recreations, and other personal habits of the members of the College, and the conditions of their going beyond the precincts of the College; and respecting the meals of the members of the College, and the mode of conducting the same; and respecting the punishments for offences not being such as require deprivation; and respecting the use of the Common Hall; and respecting the times of opening and closing the gates and doors of the College; and respecting the admission of strangers into the precincts of the College; and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same, shall be henceforth void. The Principal and Fellows shall from time to time make such regulations as they may deem necessary or desirable for promoting the main objects which the aforesaid particular provisions, or any of them, are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby, as is hereinafter provided.

51. If

51. If in any case it shall appear to the Visitor that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished, as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

52. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit, at other times, to require the Principal and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the statutes in force for the time being are duly observed.

53. As often as any question shall arise on which the Principal and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Principal and Fellows, or for the Principal or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

54. It shall be lawful for the Principal, or for any Fellow if he shall conceive himself aggrieved by any act or decision of the Principal and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence as he shall deem just.

55. It shall be lawful for the Visitor, either *proprio motu* or

or on the complaint of the Principal or of any of the Fellows, to disallow and annul any Bye-law or resolution of the Principal and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

56. The injunctions of the existing Statutes respecting preferences to be given by members of the College in elections to University offices shall be henceforth void.

57. The Principal and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, the vote of the Principal being counted as two votes, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

58. Whenever the words "the Fellows," or "the Principal and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows, and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

59. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal, this 3rd day of April 1857.

L. S.

ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the STATUTE 17th and 18th Vict. c. 81, in relation to MAGDALEN COLLEGE, in the UNIVERSITY of OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the 17th & 18th years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of St. Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows, in relation to the College of St. Mary Magdalen in the said University:—

Whereas four Fellowships are now vacant in the said College, not being Fellowships to which any Demy is entitled to succeed or be elected by virtue of an interest acquired before the passing of the said Act.

1. In elections to two of the said Fellowships (which we direct to be filled up on a day to be appointed by the President and Fellows not less than 20 nor more than 30 days after the approval of this Ordinance by Her Majesty in Council) no person shall be entitled to any preference or be ineligible by reason of the county or place of his birth, or by reason of any existing statute limiting the number of Fellowships tenable at one time by natives of any county or diocese, or by reason of his being or not being a Demy of the College. The intellectual qualifications of all the candidates for such two Fellowships, shall be tested by an examination in such subjects connected with the studies of the University as the President and Fellows shall determine; and the President and Fellows shall elect those candidates, being otherwise duly qualified, according to the Statutes of the College, who after such examination shall appear to them to be of the greatest merit, and most fit to be Fellows of the College as a place of religion, learning, and education.

2. The two Fellows so elected shall not be required to take the oaths prescribed by the existing statutes to be taken by Fellows admitted to probation, or to be actual Fellows, but at the time of their election and admission each of them shall take an oath, or make a declaration, as the President and Fellows

Fellows shall determine, to the effect that he will faithfully perform the duties of a Fellow, and obey the Statutes and Bye-laws of the College in force for the time being, so far as they may concern him; and the President and Fellows present at and taking part in the election shall not take the oath prescribed by the Statutes of the College, to be taken before electing to a Fellowship, but shall in place thereof take an oath, or make a declaration, as they shall by resolution determine, to the effect that they will elect the person best qualified according to the conditions above specified.

3. In respect of the other two of the said Fellowships, we ordain that the same shall not be filled up, but the emoluments thereof shall be set apart and carried to a separate account in the College books; and shall be annually divided into two equal parts, and applied by the President and Fellows to the establishment and maintenance of additional Demyships, and of exhibitions within the College and the School thereof, and to the endowment of a Chair of moral philosophy within the College: Provided that in such division one moiety of the said emoluments shall be applied to the maintenance of the said Chair. But no such application shall be made before the first day of August, in the year of our Lord One thousand eight hundred and fifty-eight.

4. The emoluments of each of the two Fellowships last mentioned shall be the sum of 284 *l.*, which sum shall not be subject to increase or diminution for any cause whatever.

Given under our Common Seal this 3rd day of April 1857.

L. S.

ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the STATUTE 17th and 18th Vict. c. 81, in relation to MERTON COLLEGE, in the UNIVERSITY of OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the 17th and 18th years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the

College of St. Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Merton College, otherwise called the House or College of Scholars of Merton, in the said University :—

Whereas, by an Ordinance framed by us, and dated the Nineteenth day of February One thousand eight hundred and fifty-seven, it is (amongst other things) provided that the emoluments of certain Fellowships within Merton College, being the third, fifth, seventh, and ninth, which should fall vacant after the approval of the said Ordinance by Her Majesty in Council, shall, to an amount not exceeding 800 *l. per annum*, be applied to the maintenance within the said University of a Professorship of Physiology, to be established as therein mentioned: Now we ordain that there shall be established within the University a Professorship of Physiology, to be called the Linacre Professorship of Physiology, to the maintenance of which the said emoluments shall always be applied.

The election of the said Professor shall always be vested in the Visitor and Warden of Merton College, the President of the College or Commonalty of the Faculty of Physic in London, commonly called the Royal College of Physicians, the President of the Royal College of Surgeons of England, and the President of the Royal Society for the time being, or the major part of them. The first election of a Professor shall take place as soon as three of the said four Fellowships shall have become vacant, or sooner if the persons holding the aforesaid offices, or the major part of them shall so determine; and the emoluments which previously to that election shall have accrued from such of the said Fellowships as shall become vacant shall be invested and accumulated by Merton College, and paid with the accumulations to the first Professor on his election. The University may by Statute define, and from time to time regulate the functions and duties of the Professor, and may provide for the performance of them by Deputy in case of his unavoidable absence or incapacity, and for the suitable payment of any such Deputy out of the Professor's emoluments, and may determine whether the Professor shall be permitted to receive any and what fees for attendance on his instructions, provided that no such fees shall be payable by any member of Merton College. The Professor shall reside in the University for six months at least, between the tenth day of October in every year and the first day of the next ensuing July, and in default thereof shall vacate his Professorship, unless leave of absence shall have been granted to him on account of sickness, or for any other very urgent cause, by or by authority of the University.

University. The Professor shall not during his tenure of the Professorship practise either Medicine or Surgery. It shall be lawful for the Vice-Chancellor and the Delegates of Appeals in Congregation, or the greater part of them, to deprive of his Professorship any Professor who, in their judgment, shall have been proved to be guilty of culpable negligence or misconduct in his office, grave immorality, or non-observance of the Statutes relating to him, reasonable notice in writing of the charge having been first given to the Professor by the Vice-Chancellor, to enable him to answer the same if he shall desire to do so. The University may by Statute regulate the mode of proceeding on any such charge as aforesaid, and limit the time allowed for giving notice. The Warden and Fellows of Merton College qualified to vote in the election of Fellows may, if they shall think proper, elect the Professor to be a Fellow of the College, without notice, examination, or probation, and although married, and although possessed of any benefice, property, pension, or office which would in ordinary cases render the possessor ineligible, and although he may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided he be otherwise qualified for election, and be not a Fellow of any other College within the University; but any Professor so elected a Fellow shall not be entitled in right of his Fellowship to any emoluments besides those attached to his Professorship, nor, if married, to rooms within the College, or to any allowance in respect of rooms, and if he shall cease to hold the Professorship, shall vacate his Fellowship. The Fellowship to which the Professor may, as herein-before provided, be elected, shall not be counted in the division of the Fellowships of the College into two moieties directed by the sixth Clause of the aforesaid Ordinance to be made, nor in the number of eighteen and twenty-four Fellowships mentioned in the twenty-fifth Clause of that Ordinance.

Given under our Common Seal, this 3rd day of April 1857.

L. S.

ORDINANCES framed by the Oxford University Commissioners, under the 17 & 18 Vict. c. 81, in relation to NEW, WORCESTER, BALLIOL, ORIEL, BRASENOSE, WADHAM, TRINITY, ALL SOULS, JESUS, MAGDALEN, and MERTON COLLEGES, respectively.

(Presented pursuant to Act of Parliament.)

Ordered, by The House of Commons, *to be Printed,*
29 *June* 1857.

138—Sess. 2.

Under 12 *oz.*

OXFORD UNIVERSITY.

COPIES of ORDINANCES in relation to PEMBROKE, WINCHESTER, NEW, and BALLIOL COLLEGES, OXFORD, respectively, framed under the 17 & 18 Vict. c. 81, and 19 & 20 Vict. c. 31.

Council Office,
27 August 1857.

W. L. BATHURST.

COPY of an ORDINANCE framed by the Commissioners appointed for the purposes of the Statute 17 & 18 Vict., c. 81, in relation to the Scholarships of the Foundation of GEORGE TOWNSEND, Esq., in PEMBROKE COLLEGE, within the UNIVERSITY of OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled, "An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary, Winchester," ordain as follows, in relation to the Scholarships of the Foundation of George Townsend, Esq., in Pembroke College, within the said University:—

1. The emoluments of the Foundation of George Townsend, Esq., shall be divided quarterly, in equal shares, among such Scholars of that Foundation as shall not have exceeded the sixteenth term from that of their matriculation inclusive, and such Graduate Scholar or Scholars as shall be residing in the University, in order to keep the one term now necessary to enable Bachelors of Arts to proceed to the degree of Masters of Arts; so that no Scholar shall receive any part of the emoluments of the Foundation for more than one term after he shall have completed his sixteenth term from matriculation.

 2. Each

2. Each of the four junior Scholars of that Foundation for the time being, while resident in the University, and until he shall have completed his sixteenth term from matriculation inclusive, shall enjoy a separate set of rooms rent free. The four senior Scholars shall have no claim to rooms.

3. In elections to Scholarships of that Foundation, no Scholar shall be considered duly qualified, according to the instrument of foundation, as a Scholar of any of the Schools named in the will of the said George Townsend, unless he shall have been receiving education in such School for a continuous period (inclusive of vacations) of two years out of the three years immediately preceding the day of election.

4. It shall be lawful for the persons in whom the election of each Townsend Scholar is vested under the said will, to elect on each occasion, if they or a majority of them shall think fit, two or more candidates, out of whom the Master and Fellows shall choose the most proficient, if, in their judgment, of sufficient merit for election.

Given under our Common Seal, this twenty-eighth day of May, one thousand eight hundred and fifty-seven.

L. S.

COPY of an ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the Statute 17 & 18 Vict., c. 81, in relation to WINCHESTER COLLEGE.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled, "An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary, Winchester," ordain as follows in relation to the College of Saint Mary of Winchester, near Winchester, otherwise and hereinafter called Winchester College :—

1. No person shall be incapable of being elected or appointed Warden of the said College by reason of his not being

being or not having been a Fellow thereof, or a Fellow of the College of Saint Mary of Winchester in the University of Oxford, otherwise and hereinafter called New College. No person shall be capable of being elected or appointed who shall not be a Priest of the United Church of England and Ireland, and either a Graduate in Theology or Law, or a Master of Arts. The electors shall choose, and, in case of lapse, the Bishop of Winchester for the time being shall appoint the person (being otherwise duly qualified according to the Statutes of the College, in force for the time being), who in their or his judgment, as the case may be, shall be most fit for the government of the College as a place of religion, learning, and education.

2. The Warden shall be required to reside in the College eight calendar months at least in each year; provided, that in case of the Warden's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the Warden's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Warden.

3. The Warden and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Wardenship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Warden's emoluments, whether commuted or uncommuted, as they shall think proper; provided, that no exercise of this power shall affect the person then being Warden without his consent; provided also, that the Visitor, upon the petition of the Warden, or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

4. If at any time it shall appear that the Warden has become permanently incapable of performing the duties of his office, the Sub-Warden shall, upon the request of any two or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them;

and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Warden (as the case may be), it shall appear to the satisfaction of the Visitor that the Warden has become permanently incapable of performing his duties, then the Visitor shall nominate one of such two Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Sub-Warden, shall be presented to him, to be Pro-Warden of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the Warden's emoluments as the Visitor shall think fit; provided that the Warden shall be at liberty to retain his lodgings. And such Pro-Warden shall, so long as the Warden shall retain his office, and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Warden except the power of consenting to any commutation, regulation, or diminution of the Warden's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes, and in the same manner. If any Pro-Warden shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-Warden in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Warden's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

5. In elections to Fellowships within the College, the electors shall (subject to the provisions in that behalf of the Statutes in force for the time being) choose that person who shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College, as a place of religion, learning, and education. The preference given by the existing Statutes to those who are or have been Fellows of New College shall be extended alike to the Master, Usher, and Assistant-Masters of the School of Winchester College for the time being, and to those who shall have held any of the said offices, and to those who shall have been educated for two years at the said School. No person shall be entitled to preference by reason of his place of birth.

6. Thirty days, at least, before the day of election to a Fellowship, notice of such intended election, and of the conditions

ditions of election, shall be given by the Warden, in such manner as he shall deem best adapted to ensure publicity.

7. It shall be lawful for the Warden and Fellows to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Warden and Fellows shall, by resolution, from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the time and mode of election thereto, may also be determined by the Warden and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

8. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the College, contained in the existing Statutes, shall be henceforth void. Such regulations respecting the residence of Fellows and Scholars within the College, and respecting the mode in which, and the conditions under which leave of absence may be granted to any Fellow or Scholar, as may be expedient for the interests of the College as a place of learning and education, shall be made with all convenient speed, and may be varied from time to time, and may be enforced by pecuniary penalties, and in case of non-compliance, by deprivation. Such regulations shall be made and varied, so far as they may relate to Fellows, by the Warden and Fellows; so far as they may relate to Scholars, by the Warden alone.

9. Thirty additional Scholarships shall be established and maintained within the College; and Twenty Exhibitions, of the annual value of 50 *l.* each, shall be established and maintained within the School of the College.

10. The first, third, fifth, and seventh Fellowships, or, if the Warden and Fellows shall deem it more desirable for the interests of the College, the second, fourth, sixth, and eighth, which shall become vacant after the approval of this Ordinance by Her Majesty in Council, shall not be filled up, and the emoluments thereof shall be applied, together with any other available resources of the College, in establishing and maintaining the said thirty Scholarships and twenty Exhibitions. The emoluments of the Fellowships hereby directed to be not filled up shall be the sums which would in each year have been payable to the holders of the same if the same had been filled

up. If any Fellowship or Fellowships shall be vacant at the time of the approval aforesaid, such Fellowship or Fellowships shall, for the purposes of this Ordinance, be considered as having become vacant immediately after such approval.

11. Provision shall be made from time to time by the Warden and Fellows for the board of the Scholars out of the revenues of the College, in lieu of the commons assigned to them by the existing Statutes. No Scholar shall be entitled to receive any special allowances in respect of his being of the blood or kindred of the Founder.

12. In elections to Scholarships within the College, no person shall be either entitled to preference or ineligible by reason of his being or not being of the blood or kindred of William of Wykeham, the Founder of the College, or by reason of his place of birth. No person shall be ineligible by reason of his having any bodily imperfection which might operate as a disqualification for Holy Orders, or of his not being instructed in plain song, or by reason of any restriction in respect of property or pecuniary circumstances contained in the existing Statutes; but the electors may refuse to admit as a candidate any one whom they may deem to be not in need of a Scholarship, and all other things being equal in candidates, shall have regard to the pecuniary circumstances of such candidates. No person shall be eligible to a Scholarship who shall have attained the age of fourteen years. The conditions of tenure in respect of age shall be the same for all persons, whether of the blood or kindred of the Founder or not.

13. The candidates for Scholarships shall be examined in such subjects as the electors shall from time to time determine, and those candidates (being otherwise duly qualified according to the Statutes in force for the time being) shall be elected, who after such examination shall appear to the electors to be most proficient and most fit to be Scholars of the College.

14. The electors to the Scholarships of Winchester College and to those of New College shall not, in electing thereto, be bound to observe any regulations contained in the existing Statutes of Winchester College, which shall be inconsistent with the Statutes of New College in force for the time being.

15. It shall be lawful for the electors to Scholarships, so soon as in their judgment it can be done without injustice to the candidates of the year in which the change shall be made,

made, to discontinue the practice of electing to prospective vacancies.

16. The Warden and Fellows may deprive any Scholar of his Scholarship for any misconduct which, in their judgment, shall merit deprivation, subject to such appeal to the Visitor as is hereinafter provided.

17. No Fellow of New College shall be incapable of being appointed an elector to the Scholarships of Winchester College by reason of his faculty.

18. The electors, and the time and mode of examination and election, and the conditions of election in reference to superior proficiency and fitness, shall be the same in the case of Exhibitions as in the case of Scholarships, but no person shall be eligible to an Exhibition who shall have attained the age of fifteen years, and all other things being equal in candidates, the electors shall have regard to the pecuniary circumstances of such candidates.

19. Thirty days at least before the annual day of election to Scholarships and Exhibitions, notice of such intended election shall be given by the Warden of Winchester College in such manner as he shall deem best adapted to ensure publicity.

20. Every Scholar who shall be elected to an Exhibition shall thereby vacate his Scholarship, and every Exhibitioner who shall be elected to a Scholarship shall thereby vacate his Exhibition.

21. The Master of the School shall, immediately before every annual election to Scholarships and Exhibitions, make a report to the electors respecting the conduct and proficiency of each Exhibitioner; and it shall be lawful for the electors, or the major part of them, on such report, to terminate any Exhibitioner's tenure of his Exhibition. Subject to the foregoing provision, each Exhibitioner shall hold his Exhibition as long as he remains at the School, or until he is elected to a Scholarship. The Exhibitioners shall be subject to such regulations respecting residence at the School as the Warden shall from time to time appoint.

22. Eight Exhibitions shall be established previous to any increase in the number of Scholarships; the relative rate at which the remaining twelve Exhibitions, and the thirty additional Scholarships shall be established shall be in the discretion of the Warden and Fellows.

23. When the thirty additional Scholarships shall have been

been established, it shall be lawful for the Warden and Fellows, if they shall have sufficient means at their disposal, to increase the number of Exhibitions to forty, and when the number of Exhibitions shall have been increased to forty, it shall be lawful, in like manner, for the Warden and Fellows to restore the four Fellowships hereinbefore directed to be not filled up.

24. In addition to the branches of instruction specifically mentioned in the Statutes, the Scholars and Exhibitioners shall be instructed in the mathematical and physical sciences, and such other branches of instruction as are proper to complete a liberal and religious education.

25. The number of Fellowships within the College shall never be less than six, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Warden and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Warden and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

26. The Warden and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College.

27. The Warden and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

28. The Warden and Fellows may, if they shall think fit, commute the allowances now payable to Fellows, or any part thereof, for annual stipends or aliquot shares of the corporate revenues

revenues of the College. It shall be lawful for the Visitor, upon the petition of any person who shall be a Fellow at the time of such commutation being determined on, and shall conceive himself aggrieved thereby, to disallow such commutation, if he shall think fit.

29. The Warden and Fellows may from time to time appoint such officers as they may deem expedient for the better instruction and discipline of the School, and may assign to such officers such stipends or emoluments as the Warden and Fellows shall think proper.

30. The Warden shall, as soon as conveniently may be, make regulations for the performance of Divine Service according to the Liturgy of the United Church of England and Ireland, within the College, and for attendance on the same, and may vary such regulations from time to time; but the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

31. The oaths prescribed by the existing Statutes shall not hereafter be taken; but every person elected or admitted to any place or office (other than a Scholarship), on election or admission to which an oath is now required, shall, at the time of his election or admission, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Bye-laws of the College in force for the time being so far as they may concern him; and the electors to any place or office before electing to which an oath is now required (not being an annual office), shall, before electing, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

32. The common seal of the College may be affixed by the Warden, if he shall think fit, to any act or document at any meeting at which the major part of all the Fellows shall be present, with the consent of the major part of the Fellows so present.

33. The power which is given by the existing Statutes to the Sub-Warden to act in place of the Warden, and the power of any officer of the College who may hereafter be authorised by any Statute or Bye-law to act in place of the Warden, shall be deemed to extend to all the acts which the Warden is

hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Warden's emoluments.

34. The particular provisions of the existing Statutes respecting the devotions, dress, recreations, and other personal habits of the members of the College, and the clothing to be provided for them respectively, and the conditions of their going beyond the precincts of the College; and respecting the meals of the members of the College, and the mode of serving and conducting the same; and respecting the inquiries to be made into the life and conduct of the members of the College, and the mode of making the same; and respecting the punishments for offences not being such as require deprivation; and respecting the treatment and support of Fellows and Scholars in case of sickness or infirmity; and respecting the distribution of the rooms and the use of the Common Hall and other common rooms or buildings of the College; and respecting the use of the Library; and respecting the times of opening and closing the gates and doors of the College; and respecting the admission of strangers into the precincts of the College; and respecting the reading of the Statutes; and respecting the service of the College; and respecting progresses and other matters relative to the supervision of the property of the College; and respecting the custody and inspection of the monies, plate, and other goods of the College other than the muniments and seals, shall be henceforth void. Such regulations shall be made from time to time as may be deemed necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect; and may be enforced by such penalties as may be thought fit, subject to such right of appeal to the Visitor as is hereinafter provided; such regulations shall be made, so far as they may relate to the Warden and Fellows, by the Warden and Fellows; and so far as they may relate to Scholars, by the Warden alone.

35. No member of the College who may be charged with any offence shall, by reason of any provision in the existing Statutes, be prohibited or restrained from calling for a copy of the charges made against him, or for the name or names of the person or persons making such charges.

36. If in any case it shall appear to the Visitor that, by reason of any change in the value of money, any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient

insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor, from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

37. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit, at other times, to require the Warden and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

38. As often as any question shall arise on which the Warden and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Warden and Fellows, or for the Warden or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

39. It shall be lawful for the Warden, or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Warden and Fellows, and for any Scholar who shall have been deprived of his Scholarship, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

40. It shall be lawful for the Visitor, either *proprio motu*, or on the complaint of the Warden or of any of the Fellows, to disallow and annul any Bye-law or resolution of the Warden

and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

41. The Warden and Fellows, by a majority consisting of not less than two-thirds of the votes of those present at a meeting convened by the Warden for that purpose, may from time to time, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

42. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal this fifth day of June, one thousand eight hundred and fifty-seven.

L. S.

COPY

COPY of an ORDINANCE for the Appropriation of a Portion of the REVENUES of NEW COLLEGE in aid of the PROFESSORIATE of the UNIVERSITY, and respecting certain Exhibitions within the College; framed by the Oxford University Commissioners under the 17 & 18 Vict. c. 81.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled, "An Act to make further provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary, Winchester," ordain as follows in relation to the College of St. Mary of Winchester in the said University, otherwise and hereinafter called New College:—

As soon as the number of Fellowships and that of Scholarships within the College shall have been respectively made up to thirty, pursuant to the provisions in that behalf of an Ordinance made by us in relation to the said College, and dated the nineteenth day of March, one thousand eight hundred and fifty-seven, an annual sum shall from the twenty-fifth of March, or the twenty-ninth of September then next ensuing (whichever of those days shall first happen), become payable, and shall always thereafter be paid out of the corporate revenues of the College to each of the two Savilian Professors within the University for the time being; the said annual payment to each Professor shall be 150*l.* for the first five years after the same shall become payable, and 300*l.* after the expiration of such five years. This direction, and the charge hereby imposed on the revenues of the College, shall take precedence of the direction contained in the aforesaid Ordinance, that the number of Fellowships shall be further increased to forty. If any Professor shall, after the said charge shall have come into operation, fail to reside within the University for six calendar months between the tenth day of October in any year and the first day of the next ensuing July, he shall forfeit one year's payment of the annual sum appropriated to him, unless previous leave of absence or a subsequent dispensation in respect of the default shall have been granted to him on account of sickness, or any other very urgent cause, by or by authority of the University, and the payment so forfeited shall sink into the divisible revenues of the College.

In appointments to the Exhibition of the Foundation of Nicholas Aspinall, Clerk, no person shall be ineligible or entitled to preference by reason of his place of birth.

It shall be lawful for the Warden and Fellows to dispose in every year of the emoluments specified in the Schedule hereto, in such manner as they shall deem best for promoting study and improvement among the undergraduate members of the College, or to bestow the same, or any of them, on such undergraduate members of the College as they may deem to stand in need of support at the University.

SCHEDULE.

The Exhibitions of the Foundation of Dr. Thomas Wells, for Fellows of the College.

The Exhibitions of the Foundation of Dr. William Fleshmonger, for Fellows of the College.

The Exhibitions of the Foundation of Mr. John Smith, for Fellows of the College.

The Exhibitions of the Foundation of Dr. Thomas Millinge, for Fellows of the College.

The Exhibitions of the Foundation of John White, some time Lord Bishop of Winchester, for Fellows of the College.

The Exhibitions of the Foundation of Dr. Christopher Rawlins, for Fellows and Scholars of the College.

Given under our Common Seal this twenty-fourth day of June, one thousand eight hundred and fifty-seven.

L. S.

COPY

COPY of an ORDINANCE made by the Master and Fellows of BALLIOL COLLEGE, OXFORD, under the 19 & 20 Vict., c. 31, for the Amendment of an Ordinance made by the Oxford University Commissioners, and approved by Her Majesty in Council, dated the 9th day of June 1856.

WHEREAS the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled, "An Act to make further provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary, Winchester," framed and settled an Ordinance, dated the 9th day of June 1856, for the consolidation of Scholarships within Balliol College in the said University, and for other purposes; and such Ordinance, after being submitted to the College in manner directed by the said Act, was duly approved by Her Majesty in Council, on the 20th day of March 1857:

And whereas the said Ordinance, after directing (amongst other things) that certain Scholarships and Exhibitions within the College should be consolidated into eight Scholarships in manner therein mentioned, contains the following clause or portion of a clause:—

"The holders of the eight Scholarships to be established pursuant to this Ordinance, and the two Scholars on Dr. Bell's Foundation, shall be entitled, in addition to their respective stipends or emoluments, to receive tuition free from all charges, and shall be elected on the same days, by the same persons, and in the same manner, and shall be liable to deprivation by the same authority, for the same causes and in the same manner as the Scholars of the original Foundation are now elected and liable; and shall be subject to such regulations as to their instruction, discipline, and attendance on Divine Worship, as the Master and Fellows may from time to time prescribe:"

And whereas by an Act passed in the nineteenth and twentieth years of the reign of Her said Majesty, intituled, "An Act to amend the Act of the seventeenth and eighteenth

years of Her Majesty, concerning the University of Oxford, and the College of Saint Mary, Winchester," it is enacted, that it shall be lawful for any College of or in relation to which any Regulation, Ordinance, or Statute shall have been approved by Her Majesty in Council, under section 36 of the first hereinbefore mentioned Act, from time to time, with the approval of the Commissioners, and during the continuance of their powers under the said Act, to amend or alter such Regulation, Ordinance or Statute, subject to the same conditions and provisions as are imposed by the Act in relation to the making of the original Regulation, Ordinance or Statute;

And whereas it is expedient that the said Ordinance of the 9th day of June 1856 should be amended as hereinafter mentioned:

We, the Master and Fellows (otherwise styled the Master and Scholars) of Balliol College aforesaid, do ordain as follows:—

The said Ordinance of the 9th day of June 1856 shall henceforth be read as if, in lieu of the clause or part of a clause hereinbefore set forth, there had been inserted therein the clause or part of a clause following:—

"The holders of the eight Scholarships to be established pursuant to this Ordinance, and the two Scholars on Dr. Bell's Foundation, shall be entitled, in addition to their respective stipends or emoluments, to receive tuition free from all charges, and shall be elected on the same days, by the same persons, and in the same manner as the Scholars of the original Foundation are now elected, and shall be subject to such regulations as to their instruction, discipline and attendance on Divine Worship, as the Master and Fellows may from time to time prescribe. The Master and Fellows may deprive any Scholar of his Scholarship for any misconduct which shall in their judgment deserve deprivation; but any Scholar so deprived shall have liberty to appeal to the Visitor, who may reverse or vary the sentence of deprivation, as he shall deem just."

Given under our Common Seal, this twenty-first day of May, one thousand eight hundred and fifty-seven.

L. S.

Laid

Laid before us, the said Commissioners, this twenty-eighth day of May, one thousand eight hundred and fifty-seven, and approved under our Common Seal.

L. S.

OXFORD UNIVERSITY.

COPIES of ORDINANCES in relation to PEMBROKE, WINCHESTER, NEW, and BALLIOL COLLEGES, OXFORD, respectively, framed under the 17 & 18 Vict. c. 81, and 19 & 20 Vict. c. 31.

(Presented pursuant to Act of Parliament.)

Ordered, by The House of Commons, *to be Printed,*
28 *August* 1857.

327—Sess. 2.

Under 2 *oz.*